

LEX LONDINENSIS;
OR,
The City Law.
Shewing the
Powers, Customs and Practice
Of all the several
COURTS
Belonging to the
FAMOUS CITY
OF
LONDON:

VIZ.

The Lord Majors Court.	}	The Wardmotes.
The Orphans Court.		The Courts of Conservancy
The Court of Hustings.		for the River of Thames.
The Court of Common		The Court of Conscience.
Council.		The Sheriffs Court.
The Court of Aldermen.		The Chamberlains Court.

TOGETHER

With several Acts of Common Council,
very useful and necessary to be known by all
Merchants, Citizens, and Freemen of the said City.

And also,

A Method for the Ministers within the said City
to Recover their **TITHES.**

With a TABLE to the whole Book.


L O N D O N,

Printed by *J. Royston* for *Henry Twyford* in the Hall-court of
the Middle Temple. 1680.





THE PREFACE.

 *HE City of London being the Metropolis of this Kingdom, hath had many large Priviledges and Immunities granted to it by the Favour and Munificence of the Ancient Kings of England, and continued to this Day, which hath occasioned the erecting and establishing several Courts therein, the better to dispence the benefit of the said Grants to the Citizens and Inhabitants*

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tants of that City. And indeed, whoſoever ſhall conſider the ſaid Priviledges; and the nature and Jurisdiction of the ſaid ſeveral Courts, may conclude there is nothing left for the Citizens to deſire, for the happy and good Government of that City, for the Advancement of the Trade thereof, and for the ſecuring every man's Property therein, which is not already granted to them, and which by the benefit of the ſaid Courts, they may not enjoy: Some of which Priviledges belong to all the Inhabitants; as the Recovery of their juſt Debts and Demands without travelling for the ſame out of the Liberties of the City, which may be done either in the Lord Major's Court or the Sheriffs Courts. The Enrolling of Deeds, Settling Eſtates, and Docketing Enails by Recoveries of Houſes and Lands

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Lands in the said Liberties, which are to be done in the Court of Hustings. Other belong only to the Freemen of the said City; as the Preservation of the Estates of Orphans by the Court of Aldermen; the regulating all Matters of Difference between Masters and their Apprentices by the Chamberlain; the easie recovering of small Debts under forty shillings by the Court of Conscience; the choice of Officers and ordering of Parish Affairs by the Courts of Wardmotes, and the making of By-laws for rectifying any abuses, and for the well Government of the City by the Court of Common Councel, and by the Lord Major and Court of Aldermen. And that nothing may be wanting which may any way conduce or tend to the welfare and convenience of this City, the Government of that famous,
plea-

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pleasant, and profitable River of Thames upon one side whereof it is situated, is granted to the said City, and managed by the Lord Major at his Courts of Conservacy for the said River.

As the benefit of these several Courts are very great, so the knowledge of the practice and usage of them must needs be very desirable to the Citizens and Inhabitants, there being very few, but at some time or other, must necessarily be concerned in some, if not most of them.

There hath been several times printed a Treatise, called The City Law, which treats of some of these Courts: But there being many Omissions and Defects therein, this Discourse hath not only supplied the same, but also rectified the mistakes therein; shewing at large the Powers, Authorities, Customs, and Usages

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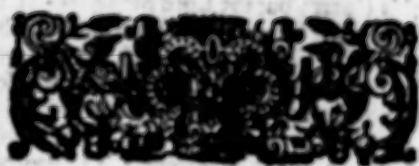
sages of all the above-mentioned Courts, as well to the Delight and Pleasure, as to the Profit and Benefit of the Reader.

In this Treatise are inserted several Acts of Common Council, all of them so necessary, or at least expedient to be known, that this Discourse would hardly be compleat without them.

This whole Work being Composed and Digested for the Publick good and benefit, it is hoped it may meet with a favourable and candid Reception, and that the Reader will pardon the Faults and Errata's of the Printer.

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THE
LAW and PRACTICE

Of the several

COURTS

Belonging to the Famous City
OF

LONDON.

Of the Lord Majors Court.



THE Lord Majors Court, commonly called the Majors Court in *London*, is a Court of Record, and is held in the Chamber of the *Guildhall*. The Recorder of the City of *London* for the time being, is Judge of
B this

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this Court; but the Lord Major and Aldermen may sit as Judges with him if they please: This Court being held by Custome, and all the Proceedings are said to be before the Major and Aldermen. The Sheriffs of *London* may in like manner sit with the Judges of the Sheriffs Court: The Proceedings in that Court being also said to be held before the Sheriffs respectively.

In this Court all manner of Actions may be entered and tried by a Jury as in other Courts, for any Debt, Trespass, or other matter whatsoever arising within the Liberties of *London*, and to any value whatsoever, and is not a Court of Equity only, as many Citizens suppose, and to this day believe. There is only four Attorneys belonging to this Court, who upon their admission by the Court of Aldermen, take the Oath following.

The Oath of an Attorney of the Majors Court.

YOU shall swear that you shall well and lawfully do your Office of Attorney, and well and lawfully examine your Clients and their quarrels, without Champerty and without procuring of any Juries or any Enquests embarrasing. And that you shall change on quarrel out of its nature after your understanding. Also you shall plead ne
ley,

ley, nor suffer to be pleaded or leped by
 your assent, no foreign Release, Acquit-
 tance, Payment, Arbitration, plain
 Account whatsoever it be to put the
 Court out of its Jurisdiction, nor none
 other matter, but it be such as you shall
 find rightful and true by the informati-
 on of your Clients, whose information
 and saying upon your Oath and Consci-
 ence you shall believe to be true. And
 you shall not inform ne enforce any
 man to sue falsly against any persons by
 false or forged Actions. Attendant ye
 shall be upon the Mayor of the said Ci-
 ty for the time being, and ready ye shall
 be at all times to come at the warning
 of the said Mayor, but if ye be letted a-
 bout the Business of the said City, or
 by some other reasonable cause. Ye shall
 not deliver any Book or any manner of
 Copy to any person of any thing that
 toucheth the Liberty of this City with-
 out licence and oversight of the Mayor,
 Recorder, and Town Clerk of this Ci-
 ty for the time being, or of two of them,
 or shew to any person any Book con-
 cerning the Customs of the said City,
 nor suffer any Person to look upon any
 such Book of Customes at any time,
 saving only the Council of this City,
 but that ye shall keep the same Books
 secret among your selves. The secrets
 of this Court ye shall keep, and not dis-
 close any thing there spoken for the Com-

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 mon weal of the said City that might
 hurt any Person or Brother of the said
 Court, unless it be spoken to his said
 Brother, or to other which in his Con-
 science or Discretion he shall think it to
 be for the Common weal of this City.
 And that well and lawfullp ye shall do
 all such things that to the Office of At-
 torney pertaineth to do, as God you
 help.

The manner of entring Actions in this
 Court is different from the Sheriffs Court:
 For you cannot enter an Action in this Court
 at either of the Compters, but must go to
 one of the four Attorneys, and enter your
 Action with him; and if it be an Action of
 Debt it must be entered thus;

*R. B. Defend' versus G. W. Quer' in p'ito
 deb'is super demand' leg'lis, &c.*

Plag' &c.

If in Case,

*In p'ito transgr' super can' dam' leg'lis,
 &c.*

Plag' &c.

If in Trespass,

In p'ito transgr' dam' leg'lis, &c.

Plag' &c.

If for Account,

*In p'ito quod reddat ei computum super re-
 ceptor' diversor' bon' & merchandiz' ipsius
 Quer' ad valenc' leg'lis &c.*

Plag' &c.

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If for Covenants broken,

*In p^{re}ito convention^{is} fra^gill^{is} damn^{is} le-
g^{is}lis &c.*

Pleg^{is} &c.

If in Debt at the Chamberlains Suit,

*J. F. Defend^{is} versus T. P. Mil^{is} Camera^{re}
Civitatis London. Quer^{is} in p^{re}ito deb^{is} super
dem^{is} leg^{is}lis &c.*

Pleg^{is} &c.

If in Debt upon a Penal Statute,

*R. G. Defend^{is} versus W. B. Qui tam pro
Domino Rege quam pro seipso in hac parte sequi-
tur in p^{re}ito deb^{is} super dem^{is} leg^{is}lis &c.*

Pleg^{is} &c.

When your Action is thus entered by the Attorney or his Clerk, you must not imploy any of the Sheriffs Officers to Arrest the Defendant, but give your Action or a Note thereof to one of the Serjeants at Mace belonging to the Major and Aldermen.

There is six Serjeants belonging to this Court, who are men of good Estates, and do not belong to either of the Sheriffs. Most of them attend daily at the Attorneys Offices, and one of them is constantly attending at the Lord Majors House. If you give any of them a Note of your Action, he will Arrest the Defendant, and in case such Defendant cannot find Bayl, the Officer will carry him to one of the Compters, that being the Prison as well for this Court as the Sheriffs Court, which Imprisonment and the Cause thereof is constantly Recorded in a Publick Book, called the *Book of Impri* by the At-

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torney that entred the Action: But if the Party arrested find Bayl, the eldest of the four Attorneys must take the same, he being Clerk of the Bayls; and in Case he shall take in sufficient Bayl, and the Defendant do abscond, the Plaintiff may, after he hath a Judgment for his Debt or Damages, compel the Clerk of the Bails to pay the same Debt or Damages, by Petition to the Court of Aldermen, or to Mr. Recorder.

An Action entered in this Court will remain in force for ever, although no proceedings be had thereupon; whereas an Action entered at either of the Compters dies, and may be crossed after sixteen weeks. And the Charge of entering an Action in this Court is but 4 *s.* besides the King's Duty.

An Action commenced in this Court may be brought to a Trial for 30 *s.* Charge, and in fourteen days time, whereas in the Sheriffs Court they require more time, and much more money, as those that have had occasion know by experience.

If there happen to be six weeks time between the putting in Bayl to an Action in this Court, and the time of the Defendants Pies, in such Case the Defendant cannot remove the same Action or Suit into any other Court.

Note.

That an Action commenced in this Court, cannot be removed into the Sheriffs Court; but an Action commenced in the Sheriffs Court may be removed into this Court, either by the Plaintiff or Defendant, at any time

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time before a Jury is sworn to try the Cause. The manner of removing such Action is set forth hereafter. If any man that is not a Freeman of *London* keep any Shop, inward or outward, within the City or Liberty, for the Sale of any Goods or Wares by Retail, he forfeits 5 *l.* for every day, and an Action of Debt lies against him for the same in this Court, in the Name of the Chamberlain of *London* for the time being, pursuant to an Act of Common Councel made in the Majoralty of Sir *Leonard Halliday* Knight, which Act is as followeth:

Where by the ancient Charters, Customs, Franchises, and Liberties of the City of London, confirmed by sundry Acts of Parliament, no person not being free of the City of London, may or ought to sell, or put to sale any Wares or Merchandizes within the said City, or the Liberties of the same, by Retail, or keep any open or inward Shop, or other inward place or room for shew, sale, or putting to sale, of any wares or merchandizing, or for use of any Art, Trade, or Occupation, Mystery, or Handicraft within the same. And whereas also Edward, sometime King of England, of famous memory, the third of that name, by his Charter made and granted to the said City in the Fifteenth year of his Reign, confirmed

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also by Parliament amongst other things granted, That if any customs in the said City, before that time obtained and used, were in any part hard or defective, or any thing in the same City newly arising, where remedy before that time was not ordained, should need amendment, the Mayor and Aldermen of the said City, and their Successors, with the assent of the Commonalty of the same City, might put and ordain thereunto fit remedy as often as that should seem expedient unto them; So that such Ordinance should be profitable to the King, for the profit of the Citizens, and other his People repairing to the said City, and agreeable to reason; And whereas by force of the said Customs, Franchises and Liberties, and of the Charter last aforesaid mentioned, confirmed as is aforesaid specified by Parliament, The Lord Mayor, Aldermen, and Commons of the said City, did the twelfth day of October, in the third year of the Reign of Edward, sometime King of England, the fourth, as a thing thought fit and convenient for that time, amongst other things, agree and ordain that the Basket-makers, Goldwire-drawers, and other Forreigners, contrary to the Liberty of the said City, holding open Shops in divers places of the City, and using Appliances within the said City, should not from thenceforth hold Shops
within

within the Liberty of the City aforesaid;
But if they would hold any Shop, or
dwell in the same City, they should dwell
at Blanchappton, and there hold Shops,
so as they might have sufficient dwell-
ing there. And whereas the Lord Ma-
jor, Aldermen, and Commons of the
same City, did afterwards, the Six-
teenth day of May, in the Seventeenth
year of the Reign of our late Sovereign
Lord of famous memory, King Henry
the Eighth (as a course thought fit and
agreeable for that time) Ordain, esta-
blish, and enact that no manner of person
or persons being estrange from the liber-
ties of the said City, from thenceforth
should hold or keep any open Shop or
Shops within the said City, or Liber-
ties of the same, neither with any
Lattice before, nor yet without Lattice
(certain numbers of poor men occupying
the Seat of Butchers, Tailors, and Cob-
blers only except) upon pain of Imprison-
ment, and also to forfeit and pay forty
shillings to the use of the Commonalty
of this City, as often times as he or
they should do the contrary. And where
also the Lord Mayor, Aldermen,
and Commons of the same City did
afterwards, the Twentieth day of
January, in the said Seventeenth year
of King Henry the Eighth (reci-
ting, that whereas a Common Council
holden the Sixteenth day of May, in the
Seven-

Seventeenth year of the Reign of King Henry the Eighth, It was ordained and enacted, That no manner of person or persons, being estrange from the Liberties of this City, from thenceforth should hold or keep any Shop or Shops within this City, or the Liberties of the same, neither with any Lattices before, nor yet without any Lattice, upon pain of Imprisonment) further ordained and establish, That if any person or persons, being foreign, should hold and keep any open Shop or Shops, as is aforesaid, he should forfeit for every time so doing forty shillings, to be levied by distress, to the use of the Commonalty of the said City, by the Chamberlin for the time being, or other Officer of this City; And also have Imprisonment by direction of the Mayor and Aldermen for the time being. Now soasmuch as divers and sundry Strangers and foreigners from the Liberties of the said City, nothing regarding the said ancient Charters, Franchises, Customs, or Liberties of the said City, and Acts and Ordinances heretofore made according to the same, but wholly intending their private profit, have of late years devised and practised by sinister and subtil means, how to defraud and defeat the said Charters, Liberties, Customs, good Orders and Ordinances, and to that end do now inwardly in p: b
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by and secret places, usually and ordinarily shew, sell, and put to sale their Wares and Merchandizes, and use Arts, Trade, Occupation, Mysteries and Handicrafts within the said City and Liberties of the same, to the great detriment and hurt of the freemen of the said City, who pay lot and scot, bear Offices, and undergo other Charges, which Strangers and others not free are not chargeable withal, nor will perform; For reformation of which disorders, and avoiding of such prejudice and damages as thereby groweth to the freemen of the said City, and is now more of late used then was in any time heretofore suffered, and to provide for the common profit and good of the freemen and Citizens of this City; It is therefore by the Lord Mayor and Aldermen and Commons in this Common Council assembled, obtained and established that no person whatsoever, not being free of this City of London, shall at any time after the feast of St. Michael now next ensuing, by any colour, way, or means whatsoever, either directly or indirectly, by himself or by any other, shew, sell, or put to sale any Wares or Merchandizes whatsoever, by Retail within the City of London, or the Liberties or Suburbs of the same, upon pain to forfeit to the Chamberlin of the City of London for the time being, to the use of

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of the Mayor and Commonalty of the
 said City, the sum of five pounds of
 lawful money of England, for every time
 wherein such person shall shew, sell, or
 put to sale any Wares or Merchandizes
 by Retail within the said City, Li-
 berties, or Suburbs thereof, contrary
 to the true intent and meaning thereof.
 And it is further ordained and establish-
 ed, That no person whatsoever, not be-
 ing free of the City of London, shall at
 any time after the said Feast of St. Mi-
 chael now next ensuing by any colour,
 way, or means whatsoever, directly or
 indirectly, by himself or by any other,
 keep any Shop, or other place whatso-
 ever, inward or outward, for shew, sale,
 or putting to sale of any Wares or Mer-
 chandizes whatsoever, by way of Re-
 tail, or use any Art, Trade, Occupati-
 on, Mystery, or Handicraft whatsoever,
 within the said City, or the Liberties
 or Suburbs of the same, upon pain to
 forfeit the sum of five pounds of law-
 ful money of England, for every time
 wherein such persons shall keep any
 Shop, or other place whatsoever, in-
 ward or outward, for shew, sale, or
 putting to sale of any Wares or Mer-
 chandizes whatsoever by way of Re-
 tail, or use any Art, Trade, Occupati-
 on, Mystery, or Handicraft whatsoever,
 within the said City or Liberty, or Su-
 burbs of the same, contrary to the true
 intent

intent and meaning hereof. All which pains, penalties, forfeitures, and sums of money to be forfeited by virtue of this Act or Ordinance, shall be recovered by Action of Debt, Bill, Plaint, to be prosecuted in the name of the Chamberlin of the City of London for the time being, in the Kings Majesties Court to be holden in the Chamber of the Guildhall of the City of London, before the Lord Mayor and Aldermen of the said City, wherein no essoin or wager of Law shall be admitted or allowed for the Defendants. And that the Chamberlin of the City for the time being, shall in all Suits to be prosecuted by virtue of this Act or Ordinance against any Offender, recover the ordinary Costs of Suit to be expended in and about the prosecution thereof; And further, that one equal third part of all forfeitures to be recovered by virtue hereof, (The costs of the Suits for recovery of the same, being deducted and abowed) shall be after the recovery and receipt thereof, paid and delivered to the Treasurer of Christ's Hospital, to be imployed towards the relief of the poor Children, to be brought up and maintained in the said Hospital, and one other equal third part to him or them which shall first give Information of the Offences for which such forfeitures shall grow, and prosecute Suit in the name of the Chamberlin

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lin of the said City for recovery of the same, any thing in this Act to the contrary notwithstanding. Provided always that this Act or Ordinance, or any thing herein contained shall not extend to any person or persons for bringing or causing to be brought, any Victual to be sold within this City, or the Liberties thereof, but that they and every of them, may sell Victual within the said City, and the Liberties thereof, as they might lawfully have done at the making hereof, any thing herein contained to the contrary in any wise notwithstanding.

If a Freeman of *London* shall employ a Forreigner to work within the City or Liberties, he forfeits 5*l.* a day; and an Action lies against him for the same. In like manner, pursuant to an Act of Common Council made in the Majoralty of Sir *William Garrard* Knight, which Act is as followeth:

Com-

Commune Concilium tent' primo die *Augusti* Annis *Philippi Mariae* tertio & quarto Coram *Willielmo Garrard* Mil' Major, &c.

WHere by the ancient laudable *Laws, Liberties, and Franchises* of this Noble City of London, no person or persons should be willingly suffered to exercise, use, or occupy any Annual Occupation or Handicraft within the said City or Liberties thereof, unless he or they were free of the same City, or Apprentice or Apprentices with some that be free of the same City, the which said ancient *Laws, Franchises, and Liberties*, notwithstanding divers *Artificers and Handycrafts men* being freemen of this City, not regarding or esteeming the said *Laws, Liberties, Customs, and Franchises*, nor the Oath that they have taken to the said City at such time as they were made free, to the maintenance and advancement of the same City, have now of late not only willingly suffered, hired, and set on work within the said City and Liberties thereof divers foreigners, from the Liberties of the same City, in divers
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and sundry Handycraft and Manual Occupations, but also have refused to take and set a work in the said Manual Occupations or Handycrafts the honest poor Citizens and Fræmen of the same City, to the great hindrance, loss, and prejudice of the said poor Citizens, and to the utter undoing of a great number of the said poor Handycrafts men, being Citizens and Fræmen of the said City, and also of their poor Wives and Children for ever, unless some speedy remedy be herein provided. For reformation whereof, be it enacted, ordained, and established by the Lord Mayor, Aldermen, and Commons in this present Common Council assembled, and by the Authority of the same, That no person or persons, now being free of this City of London, or that hereafter shall be free of the same, shall after the feast of St. Michael the Archangel now next coming, by any colour, ways, or means set at work in any Manual Occupation or Handycraft within the said City, the Liberties or Suburbs thereof, any manner of foreigner from the Liberties of the said City, upon pain of forfeiture of five pounds of current Monney of England for every time that every such person or persons shall offend or commit or do any thing contrary to the purport, true intent and meaning of this present Act.

All and singular which Penalties and Forfeitures above, and by this present Act limited and appointed, shall be divided into three equal parts, whereof the one to the use of the Mayor and Commonalty and Citizens of the said City for the time being, and one other part thereof to be to those of the first presenters of the same Offence, and the third part thereof to be to those of the Company or Fellowship, that every such Offenders shall be free of; and that all and every such Penalty and Penalties and Forfeitures shall be recovered, as well upon the proper confession of the same Offence made by the same Offender or Offenders themselves before the Lord Mayor and Court of Aldermen for the time being, as also upon good and sufficient proof thereof to be made by the Witnesses before the said Lord Mayor and Court of Aldermen for the time being, or by Bill or Complaint of Debt to be commenced by any such Informer or Presenter in any of the King & Queens Majesties Courts of Record within the said City, in the name of the Chamberlin of the said City for the time being, wherein no essoin or wager of Law shall be admitted or allowed for the party Defendant. And be it also enacted by the Authority aforesaid, That it be lawful for the said Lord Mayor and Aldermen of the said City for the time being,

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upon

upon every confession or proof of any such Offence aforesaid before them made, or sufficiently proved, to commit every such Offender or Offenders to Ward, there to remain without Bail or Mainprise, until he or they have fully satisfied or paid the said forfeiture or forfeitures and Penalties, to the uses aforesaid. Provided always, that this Act of Common Council, or any thing therein contained, shall not in any wise extend to be prejudicial or hurtful to the Masters or Governors of Christ's Hospital and Bridewell, or to any other of the Hospitals belonging to the said City for the time being, or to any of them, for the setting at work either Strangers or foreigners within the said Houses, or any of them, neither to the said Strangers or foreigners that shall so happen to work therein, nor to any of them, neither to any freeman or woman of the same City, for having or setting a work any Apprentice or Apprentices at any time hereafter, in any Manual Occupation or Handicraft, within the said City, nor to any such Apprentice or Apprentices that shall so serve, that his or their Indenture of Apprenticeship be Introlled in the Chamberlains Office of the said City, according to the ancient Customs of the same City in that behalf used and observed. Provided also, that this pre-
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sent Act, or any thing therein contained, shall not extend, or be prejudicial or hurtful to any person or persons now being, or that hereafter shall be free of the said City, for setting a work at any time or times, any person or persons being feltmakers, Capthickers, Carders, Spinners, Knitters, or Brewers, or to any person that now keepeth, or hereafter shall keep any Brewhouse within the said City, or the Liberties thereof, for working or using any of the said Crafts or Occupations within the same City, or within the Liberties or Suburbs thereof, this present Act, or any thing therein contained to the contrary in any wise notwithstanding.

ATTACHMENTS.

AN Attachment made in this Court will continue in force for ever; so that the Plaintiff may proceed thereon at his pleasure: Whereas an Attachment made by any of the Sheriffs Officers is not in force longer than sixteen weeks

All Attachments are grounded upon Actions of Debt, and the manner of entering Attachments is the same as is before-mentioned for Actions: And one of the six Officers belonging to this Court must be employed to make the same.

The Advantages of making Attachments in this Court are considerable.

F*irst*, An Attachment for moneys may be made and condemned in this Court in 5 days time, if by consent, or if no opposition shall be made; and if it be in the Plaintiffs own hands, may be finished for 10 s. charge, the Officers Fees included: And if in a third persons hands, may be condemned for 15 s. charge, the Officers Fees included: Whereas in the Sheriffs Court an Attachment cannot be made and condemned under three weeks time, or thereabouts, although by consent; and the charge is usually above a third part more than is demanded or taken in this Court for condemning an Attachment.

Secondly, If *B.* Attaches the Moneys or Goods of *W.* in the hands of *F.* in this Court, and if *F.* have no Moneys nor Goods in his hands belonging to *W.* at the time when the Attachment shall be made; and it shall happen that six Months after *F.* shall become indebted to *W.* or have Goods in his hands belonging to *W.* the Plaintiff, by virtue of the Attachment made as aforesaid, shall recover the Money or Goods he shall prove came to the hands of *F.* after the Attachment made. The General Issue upon all Attach-

Attachments being, whether *F.* who is called the Garnishoe, at the time of the Attachment made, or at any time after, had any Moneys or Goods of *W.* in his hands.

Thirdly, An Attachment made in this Court must be there tried, and cannot be removed nor tried in any other Court; whereas an Attachment made in the Sheriffs Court may at any time, before trial, be removed into this Court by a Warrant signed by the Lord Major or Recorder; which Warrant is called a *Levatur Querela*, the charge whereof is $5\ s. 10\ d.$ and is made in this Form:

Levatur Querel' inter W.B. Quer' & G.R. Defend' & Attach' superinde fact' in manibus P. W. pramon' in p'sito &c.

If it be an Action only to be removed, the Warrant must be made thus;

Levatur Querel' inter C.F. Quer' & J.W. Defend' in p'sito &c.

The *Levatur Querela* must be written by an Attorney of this Court, for which he receiveth $4\ d.$ and for his Fee $1\ s. 8\ d.$ and then must be delivered to one of the six Officers before mentioned to procure my Lord Major or the Recorder to sign the same, for which $4\ d.$ is due to his Lordship, and is constantly paid. And after the Warrant is signed, the Officer must carry it to the Clerk of the Papers belonging to the Compter, where the Action was entered, and give him $2\ s. 6\ d.$ to allow the same *Levatur*; and to certify the Action or Attachment, and the Officer for his pains hath $1\ s.$ and so the $5\ s. 10\ d.$ is distributed.

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Fourthly

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Fourthly, An Attachment may be tried in this Court for 30 s. although the Concern be 500 l. But by reason of new Devices of Continuances in the Sheriffs Court, the charge of a Trial there comes to much more.

The Court of Common Council in London took notice thereof, and in the Year 1669. in the Majoralty of Sir Richard Ford, made an Act, Intituled, *An Act for the better regulating of the Courts of Law in the Guildhall, London*. Which Act, amongst other matters therein contained, is as followeth :

BE it enacted, ordained, and established by the Right Honourable the Lord Mayor, the Right Worshipful the Aldermen his Brethren, and the Commons in this Common-council assembled, and by the Authority of the same, That no person or persons be at any time hereafter admitted into any the Places or Offices of Secondaries of the Compters, Clerks or Attorneys in the Mayors Court, Clerk of the Papers, Clerk Bitters, Attorneys in the Sheriffs Courts of this City, Sergeants or Pleaders of the Compters, but that he or they do first take his or their Oath of this City, according to former Acts and Orders of Common-council.

And

And soasmuch as it is observed that the Clerks and Attorneys of the Mayor and Sheriffs Courts of this City do breed and bring up under them a multitude of young Clerks, taking with them considerable Sums of Money, but for shorter terms than hath been accustomed within this City, And the Attorneys, Clerks, and Officers of and belonging to the Sheriffs of London, and the Sheriffs Courts, do often tender themselves to the Defendants Arrested in the Sheriffs Courts, to become their Bail, whereby in case of the Defendants absenting himself, all possible means are used to delay and disappoint the Plaintiffs in their just Suits, to their great wrong and abuse of Justice; Be it therefore ordained, enacted, and established by the said Lord Mayor, Aldermen, and Commons in this Common-council assembled, and by the Authority of the same, That no person or persons whatsoever be henceforth at any time admitted, or capable to be admitted, a Clerk or Attorney in one of the Courts of this City, before he or they shall, bona fide, have served some Master-Clerk or Attorney in one of the Courts of this City, as a Clerk, the full term of seven years; And that every or any Grant or Admission that shall happen at any time hereafter to be made, contrary to this Act, shall be

be null and void, as if it never had been made, and that no Attorney, Clerk, or Officer, of or belonging to the Mayor's Court, or Sheriffs, or their Clerks or Servants, nor any of them, do, or shall at any time from and after the Twenty third day of October instant, presume to become Bail for any person or persons whatsoever, in any Action, Attachment, or other Suit or Cause whatsoever that shall be entered, commenced, or depending in the Mayor's Court, or Sheriffs Courts, and that neither the Clerk of the Bails in the Mayor's Court, nor Clerk of the Papers, nor Clerk-tellers of the said Sheriffs Courts, nor any of them, nor their, nor any of their Clerks or Servants, nor any other whose Duty it is to take the Bails, do presume from and after the said Twenty third day of October, to take, accept, and enter upon Record any of the said Attorneys, Clerks, or Officers, or any of their Clerks or Servants, for the Bail of any person or persons whatsoever. And to the end that the said City Courts, as well the Mayor's as the Sheriffs Courts, may be supplied from time to time, with able and sufficient Jurymen, be it further ordered and enacted by the said Lord Mayor, Aldermen, and Commons in Common-council assembled, and by the Authority of the same, That no person

person or persons whatsoever be at any time hereafter returned by any Inquests of the Wards of this City, to serve as Jurp-man or Jurp-men, either Grand or Petty, in the Courts of this City, but such men as either have been, or for time to come shall be Subsidp men, and so taxed in the King's Books; or in Default thereof, such other discreet and sufficient persons as shall be equal in Quality and Estate with them, and that the Issues, upon default of Jurp-men Appearances, be constantly levied, and duly and truly answered.

And whereas the said Court, called the Lord Mayor's Court, is an ancient Court of Record, wherein Causes both of Law and Equity, and also Attachments, are determinable, and the same Court is Superiour to the Sheriffs Court, and whereas also the Lord Mayor for the time being, of ancient Custom and constant Practice, hath and have, whereof the memory of man is not to the contrary, ever had Power and Authority, by his Warrant called Levetur Querela, to remove Causes from and out of the Sheriffs Court into the Lord Mayor's Court, without any restriction or limitation of time, so as the same Levetur be brought before the Jurp, or any of them (summoned for trial of such Cause or Causes) shall be sworn;

sworn; and whereas of very late time such Levetur hath been often disallowed, contrary to the said ancient usage, and in contempt of the said Mayors Court, upon several new pretences never heard of till of late time, whereby Clients are necessitated (where they have cause to appeal to Equity) to remove their Suits out of London, whereas they might otherwise be relieved in the Lord Mayors Court with far less Charge and greater Expedition.

For remedies whereof it is ordained, enacted, and established by the Lord Mayor, Aldermen, and Commons in this Common-council assembled, and by the Authority of the same, That at all times hereafter the said Warrant of Levetur Quereles, under the Hand of the Lord Mayor, or Recorder of the City of London for the time being, for removing of any Plaint, Attachment, or other cause or causes levied or depending in either of the Sheriffs Courts of this City into the Mayors Court (being brought by a Serjeant at Law and Minister of the Mayors Court, to the said Sheriffs Court, either at the Guildhall or Compter, at any time before the Jurys or any of them shall be sworn for Trial of such Cause or Causes) shall be presently obeyed and allowed of. And that neither the Judge, nor any Clerk or Officer of either of the said Sheriffs Courts,

Courts, do at any time hereafter presume to reject or disallow of any such Levetur Querela so brought or tendered unto him or them, upon any pretence whatsoever, other than in case of a further Order or Warrant under the hand of the Lord Mayor, or Recorder for the time being, in that behalf first had and obtained, as anciently hath been used and accustomed; And to prevent the daily inconveniences happening in Suit now depending, or hereafter to be depending in the Courts of the said Sheriffs, by reason of the great delays they meet with there, by putting off of Causes, under pretence of continuances entered by the Attorneys on both sides, for the most part at the very time they should be Tried, without the consent of the Parties Clients, contrary to the ancient practice and usage of the said Courts, whereby the Clients is delayed, Witnesses and Jurymen discouraged by frequent and fruitless attendances, to the intolerable expence of the Suitors: For the preventing hereof for the future,

Be it enacted by the said Lord Mayor, Aldermen, and Commons in Common-council assembled, and by Authority of the same, That no Cause or Causes, in either of the Sheriffs Court, be at any time hereafter, from and after Illue joyned, put off from Trial by pretence
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of any such Continuances entered, or hereafter to be entered, by consent of the Attorneys on either part, but upon motion thereof first made in open Court, and for some just and reasonable Cause to be shewed and allowed upon Oath before the Judge of the same Court and upon payment of such Costs to the Party thereby delayed, as the Court shall see cause so to tax and allow; And that no Clerk do henceforth presume to enter any Continuance in any Cause summoned for Trial, without the special order and direction of the Judge of the Court in that behalf first had as aforesaid; And that no fee be henceforth demanded, taken, or allowed by, or to any of the Attorneys of the Sheriffs Courts aforesaid, for, or in respect of the putting off of any Trial under the pretence of such Continuance entered, or hereafter to be entered as aforesaid, upon pain that every Attorney so demanding, taking, or receiving, shall for every such Offence, for the first time, forfeit the Sum of five pounds, and for the second to be finally discharged of and from his place of Attorney in the said Sheriffs Courts.

And to prevent the great mischiefs now daily growing and encreasing in the said Sheriffs Courts, by excessive Costs taxed upon Judgments there given by the consent for the most part of the Attorneys of both sides, contrary to the
 usage

usage of all former Ages; Be it enacted by the said Lord Mayor, Aldermen, and Commons in this Common Council assembled, and by the Authority of the same, That no Bill of Costs, exceeding the sum of four and twenty shillings, for the Trial of a Grand Jury Cause, or exceeding the sum of Twenty two shillings for the Trial of a Petty Jury Cause, shall at any time hereafter charge the Client of either side; Nevertheless it shall and may be lawful for the Judges of the said Courts respectively, for good and reasonable cause shewed to them respectively, by the parties of either side upon due examination of the circumstances of the Case (in the presence of both parties) to increase the said costs of Suit by their discretions, by a special Rule of Court to be entered for that purpose, expressing the cause why such costs are so increased. And upon complaint made by any person of greater charges then as aforesaid, and producing the Bill under the Attorneys hand, or other Witness, that the respective Judges of the same Court punish the Offender, and relieve the party grieved, according to their good discretions and the Rules aforesaid. And that no Officer of either of the said Courts shall presume to make out Execution upon any Judgment wherein the costs of Suit shall exceed the sums aforesaid

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respectively, without such special Rule as aforesaid to warrant the same, on pain to forfeit for his first Offence five pounds to the relief of the Prisoners of that Compter wherein the Action shall be entered; and for the second default to be expelled the Court for ever.

And to prevent the daily abuse of the Serjeants and Yeomen of the Sheriffs, sometimes in permitting persons Arrested by them to go at large without Bail, sometimes in keeping them in Alehouses, or some other private places, and not returning the Process in due time, (by which the parties were Arrested) so that the Plaintiff is delayed, and the Prisoner by the extortion of the said Serjeants and Yeomen oftentimes put to a greater expence than will discharge the original cause of Action, and sometimes by discharging persons by them duly Arrested, without causing the Actions wherein they were so Arrested to be withdrawn, although they take Money from the Defendant sufficient to do the same with; and sometimes in not duly returning Executions by them executed, or by discharging persons taken in Execution before satisfaction be entered upon Record, whereby the said persons are oftentimes doubly charged for the same Debt; Be it therefore enacted by the Authority aforesaid, That the

the

the Sherjeants and Proomen of the said Sheriffs, and every of them, shall from time to time, and at all times hereafter, make due return into the said Sheriffs Courts of all the Wrecpts of the said Courts to them to be directed at the next Court after the Execution of the same Wrecpts, and that all persons by them to be Arrested by virtue of the said Wrecpts, or any of them, shall be either delivered upon good and sufficient Bail, or in default thereof by him or them, committed to some of the persons within the said City, at or before the next Court to be holden after such Arrest so to be made, to the end the party Plaintiff may proceed in his Action according to Law, and that none of the said Officers presume to discharge any person or persons by him Arrested after agreements made between the parties, till such time as the said Officer shall have caused either the Action to be withdrawn or satisfaction to be acknowledged on Record, as the case shall require: And if any of the said Officers shall hereafter offend in any of the Cases aforesaid, and shall be thereof convicted by Examination of the Judge in open Court upon complaint of the parties grieved, or in default thereof by any other who shall inform the same, that then, and in every such case, the Officer or Officers so offending shall for the first offence be by
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the said Judge forthwith committed to the Compter, there to remain till he shall have paid down the sum of five pounds, the one moiety to the party grieved, or in default of Information to be given by him or them as aforesaid, then to such other person or persons who shall inform the same to the said Court, over and besides such remedy as the said party grieved may have, by his or their Actions at Law, against the said Officers, or any of them, so any of the Defaults aforesaid; and the other moiety to the relief of the poor Prisoners in such of the said Compters wherein the said cause is or shall be entered; And if any of the said Officers, after he or they shall have been once convicted of any of the Offences aforesaid, shall presume to offend in any of the said Cases the second time, and be thereof convicted as aforesaid, That then and in every such Case the said Offender, over and above all other penalties herein above limited and appointed, shall be ipso facto absolutely discharged from his said Office and the Sheriffs of the City so the time being, are hereby impowred and required to nominate and present to the Court of Aldermen, some other fitting persons to be by them admitted in his or their places, as if the persons so offending and convicted as aforesaid, were naturally dead.

Provided always, that no Informer shall be intitled to the moiety of the said five pounds, unless the said Offender shall be convicted by the evidence of one or more persons indifferent and unconcerned to the profit or prejudice coming by the default of the said Offender.

Ever since the making of this Act, my Lord Major's Warrant for removing Causes out of the Sheriffs Court into this Court hath been obeyed; but as for the other matters, they are not observed by the Attorneys in the Sheriffs Court, which is the reason of the great Charge Plaintiffs and Defendants are compelled to pay to try Causes in that Court.

In all Attachments the person whose Moneys or Goods is attached is called the Defendant in the Attachment; and the person in whose hands the Attachment is made, is called the Garnishee. And if the Plaintiff in the Attachment shall obtain a Verdict and Judgment for the Moneys or Goods attached in the Garnishees hands; yet the Defendant in the Attachment may at any time before satisfaction acknowledged upon Record, put in Bail to the Plaintiffs Action, upon which the Attachment is grounded, and thereby discharge the Judgment and all the Proceedings against the Garnishee; and although the Garnishee be taken in Execut-

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on upon any such Judgment; yet if Bail shall be put in by the Defendant in manner as aforesaid, before the Money shall be paid, the Garnishee will be immediately discharged.

If an Attachment shall be made for Goods only, and the Garnishee plead he had no Goods in his hands at the time of the Attachment, or at any time after, and the Plaintiff prove the Goods attached, or any part of them, in his hands, the Jury in such case must find for the Plaintiff, and say what Goods they find in the Garnishees hand, whereupon Judgment must be entered as followeth: *Idco considerat' est quod fiat appretiationis.* And thereupon a Precept must be made, and directed to one of the Officers of this Court, to appraise the same Goods; and if the Garnishee shall not produce them, the Officer must return an *Elangavit*, which is that the Garnishee hath conveyed the Goods out of the Liberties of this City.

The next Court-day for Trials after such return made, a Jury must be sworn to enquire of the value of the Goods found by the former Jury to be in the Garnishees hands, and Judgment must be entered for the value, according to the Verdict of such Jury.

Note.

That upon Attachments no Costs are allowed to either party, let the Verdict be for or against the Plaintiff.

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The day for Trials in this Court is every *Tuesday*, but every day is a Court for entering Proceedings, as Appearances, Rules, Pleas, and Judgments, except Holy-days, the week before *Easter*, the first three weeks in *August*, and from the Sixteenth of *December* till the *Munday* after *Twelfth-day*.

After Judgment obtained by the Plaintiff against the Garnishee upon any Attachment, the Plaintiff must, before Execution is awarded, find Sureties who must undertake for the Plaintiff, that if the Defendant in the Attachment shall within a year and a day then following come into Court, and disprove or avoid the Debt demanded against him by the Plaintiff, that then the Plaintiff shall restore to the Defendant the moneys by the Plaintiff attached and condemned in the Garnishees hands, or so much thereof as shall be disproved, or else that they will do it for him; and then Execution will be granted against the Garnishee for the Moneys mentioned in the Judgment.

If *A.* attaches Money in the hands of *B.* as the Moneys of *C.* and in truth *B.* hath no Money in his hands belonging to *C.* but expects to receive the Moneys of *B.* some short time after, in such Case *B.* after four Defaults passed (which is usually in four days) may discharge the Attachment by coming into Court personally, and giving a Rule to declare upon his Attachment; and if *A.* do not declare in three days following, then Judgment will be entered against *A.* to discharge

charge the Attachment. But if *A.* do declare, then *B.* may presently plead he had no Moneys in his hands at the time of the Attachment, or at any time since, and put the Plaintiff to prove any Moneys in his hands, or else *B.* may discharge the Attachment by waging his Law.

Note. That the Plaintiff shall not give evidence of any Moneys that came to the Garnishees hands after the time of the Plea.

The manner of waging Law to an Attachment is thus :

THe Garnishee must come into Court, and there take the following Oath, viz. You shall swear that at the time of the Attachment made, which was the day of _____ last past, between the hours of Nine and Ten in the forenoon of the same day, or at any time since, you had not owed, nor did detain, nor yet have owed, or do detain from *C.* in in the Bill original and Attachment aforesaid the Defendant named, any part thereof the said Sum of _____ so as aforesaid, nor any penny thereof, in manner and form as the Plaintiff by his Bill, Original, and Attachment aforesaid hath supposed. So God you help.

But

But if the Plaintiff hath two Witnesses that will swear the Garnishee had Moneys in his hands when the Attachment was made, he must cause their Depositions to be taken by the Town-Clerk or his Deputy, and that will stop the Garnishee from waiving his Law, and force him to plead to the Country, in case their Depositions be full.

If *A.* be indebted to *B.* in 20*l.* by Bill or Note, payable at Six Months or more, in such case you cannot enter an Action against *A.* till the Money is due: But if *B.* shall be indebted to *C.* in any some of Moneys, *C.* may so soon as the Bill or Note is given to *B.* by *A.* cause an Attachment to be made in the hands of *A.* as the Moneys of *B.* and if *A.* appear, he shall be forced to give Bail within two days after his Appearance to have his Body forth coming, or pay what Moneys shall be found in his hands: And until *A.* hath given Bail, he shall not be admitted to plead to the Attachment; and if he neglect to give Bail, Judgment will be entred against him for the Money attached. But in this case, after *A.* hath put in Bail, he must plead that it is true he hath so much Moneys in his hands, but that the same is not due nor payable to *B.* the Defendant till a certain time to come. *C.* the Plaintiff shall have Judgment presently against *A.* the Garnishee for the Money attached, but Execution shall not be awarded for the Money when it becomes due, according to the time mentioned in the Plea.

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If *A.* shall be indebted to *B.* in a Sum of Money for Goods bought, & a Verbal agreement only to pay for them at a time to come, and an Attachment shall be made in the hands of *A.* for the Money before the time agreed for payment thereof, shall be elapsed, in such case *A.* the Garnishee may plead the same Plea as above, and shall not be compelled to pay the Money till it became due by the Agreement, but the Plaintiff shall have Judgment presently.

And if the Defendant in an Attachment after satisfaction acknowledged upon Record, shall bring an Action against the Garnishee for the Money so attached; the Garnishee may in such case plead the General Issue, and give the Attachment in evidence, but must at the same time prove the Debt to be a just Debt for which the Money was condemned, and the Courts above have always allowed it as good Evidence against the Plaintiff in the Action.

If *R. D.* owes Money to *L. C.* and absconds and happens to leave Goods in a House or Warehouse locked up, and no person in the House or Warehouse; in such case *L. C.* may sequester the House or Warehouse, and the Goods and Chattels therein contained, & in 6 days time may condemn the Goods: the manner of making a Sequestration is as followeth: *L. C.* must enter an Action of Debt against *R. D.* with one of the four Attorneys of this Court, and then one of the Officers of this Court

Court must go to the same House or Warehouse, and say these words:

I Do sequester this Warehouse, and the Goods and Chattels therein contained, as the proper Warehouse, Goods, and Chattels of R. D. to answer L. C. in a Plea of Debt upon demand of 100 l.

And then must put a Padlock upon the Door of the House, and set a Seal upon the Key-hole. After four Court days passed, which is usually in four days, the Officer will receive a Precept to open the Warehouse, and cause the Goods therein to be Inventory'd and Apprais'd by any two Freemen; and the Appraisors must set their Names or Marks to the same Inventory, and come to the next Court, and there take the Oath following:

The Oath to be taken by the Appraisors.

YOU and either of you shall swear that the Appraisement you have made of the Goods and Chattels in this Schedule or Inventory specified, whereunto you have subscribed your Names, is a just and true Valuation and Appraisement of the same Goods and Chat-

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tels, according to the best of your
Judgments and Skills. So help you
God.

The same Court-day that the Appraisors are sworn, the Plaintiff may have Judgment and Execution for the Goods, bringing two sufficient Sureties, who will enter into a Recognizance to this effect; viz. *That if the Defendant R. D. shall come into Court within a year and a day, and disprove or avoid the Debt demanded by L. C. that then L. C. shall restore the Goods, or the value thereof, to R. D. or else that they will do it for him.*

The manner for a Defendant in an Attachment to disprove or avoid any Debt demanded, is as followeth. The Defendant must either render his Body to Prison, or give Security to pay the Debt demanded, and then may bring a *Scire facias*, which is called a *Scire facias ad disprobandum debitum*; and the Plaintiff in the Attachment must be summoned to appear and plead thereunto; and after the Plaintiff hath pleaded, if the Debt demanded be not a Debt due by Bond, Bill, or Specialty under Hand and Seal, the Defendant may wage his Law, and thereby discharge himself of the Money demanded by the Plaintiff, which must be done in Court as followeth:

I R. D. do swear that upon the
 day of (naming the day
 the Action was entered) **I** did not owe
 no;

nor detain, nor as yet do owe or detain from L. C. the Plaintiff the sum of xxx l, nor any part or parcel thereof in manner and form as the Plaintiff by his Bill original hath supposed. So help me God.

And if the Defendant be a Freeman of London, he must have six Compurgators, who will swear that they believe in their Consciences that what the Defendant swears is true: But if the Defendant be not a Freeman of London, then two Compurgators will be sufficient.

If the Defendant shall not think fit to wage his Law, but will put the Plaintiff to prove his Debt, he must in such case plead that he owes nothing to the Plaintiff; an issuable Plea. And in case the Plaintiff fail to prove his Debt, a Verdict and Judgment will pass against him for restitution of the Money, or value of the Goods attached and condemned. And if the Plaintiff in the Attachment shall in such case be taken in Execution, and shall be unable or unwilling to restore the Money, his Security or Pledges that he gave when the Money was condemned, will be compelled to pay the Money, for the Sureties cannot discharge themselves by rendering the Plaintiffs body to Prison.

But if the Plaintiff prove his Debt, the Verdict will pass for the Plaintiff in the Attachment, and then Judgment will be entered

tered for the Debt proved to be due; and if so much was not recovered upon the Attachment or Sequestration, the Bail for the Defendant are liable to answer, and pay the same with costs.

Touching Apprentices.

By the custom of *London*, Apprentices that are or shall be bound by Indenture above the Age of Fourteen years to Freemen of *London*, for the full term of Seven years, are compellable to serve the full term, and an Action will lie against the Apprentice for breach of any of the Covenants. But if the Apprentice shall be under the Age of Fourteen years at the time of his binding, his Indenture is not good.

By the ancient and laudable Custom of the City of *London*, every Master ought to Inroll his Apprentice within the first year of his term, before the Chamberlain of *London* for the time being, who attends every day at his Office in *Guildhall* for that purpose. And if the Apprentice be Inrolled within the first year of his term, the Fee is but 2 s. 6 d. But if he shall not be Inrolled within the first year, then such Apprentice may be discharged from his Masters Service in such manner as is hereafter set forth.

In case any Apprentice shall refuse to be Inrolled within the first year of his term, the Master may within that time bring his In-

Indenture to the Chamberlain or his Clerk, who will Record the same; which Record is as good as an Inrollment, and shall barr the Apprentice from discharging himself. Many Citizens of *London* are of opinion not to Inroll any Apprentice, and the reason they usually give is, that if the Apprentice be Inrolled, they are bound to keep him, although he shall be a Thief or Gamester, but if he is not Inrolled they can turn him away at their pleasure; which is a great mistake: For if an Apprentice shall not be Inrolled, and the Master turn him away, the Apprentice may in such case bring his Action upon the Covenants in his Indenture, and recover Damages from time to time against the Master: And if the Apprentice be Inrolled and turn'd away, he must take the same course against his Master. If the Apprentice be a Thief, the Master may as lawfully turn him away when he is Inrolled, as when he is not Inrolled; for the Inrollment is no obligation upon the Master to keep the Apprentice more than before he was not Inrolled. But by the Inrollment the Master answers the Oath he took when he was made Free, and obliges the Apprentice not to go away at his pleasure. And every Master ought in Conscience to Inroll his Apprentice: For otherwise he disappoints the Father, who possibly paid the Master a considerable Sum with his Son Apprentice, and if the Apprentice knows he may leave his Masters service at his pleasure, it happens very often that he neglects
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his Masters service, and takes bad courses, whereby the Father loses both his Money and his Son, which might in all probability have been prevented if the Apprentice had been Inrolled.

Secondly, Although an Apprentice be Inrolled, he may be discharged from his Master in case the Master shall beat him unreasonably without just cause, or in case the Master refuse to find him sufficient necessaries, or if the Master turn the Apprentice out of his service, or leave off his Trade, or shall neglect to instruct his Apprentice, or turn him away; whereas many Citizens do believe that if an Apprentice be Inrolled, he cannot be discharged from his Master for any cause whatsoever.

The manner of suing out an Apprentices Indenture is thus; He must bring his Indenture, or a Copy, to an Attorney in this Court, who will give a Note or Warrant to to one of the Sergeants before mentioned, to signify to the Master the Apprentices intention of suing out his Indenture, and for what cause; And four Court days after will leave a Summons in writing at the Masters house, for him to appear in this Court, and shew cause why his Apprentice should not be discharged. And if the Apprentice sue his Indenture out for not Inrollment the Master may appear, and delay it a small time, but cannot prevent the Apprentices discharge: But if it be for any other cause, the Master may appear by an Attorney of this Court,
and

and plead and try the truth of the matter complained of by the Apprentice, and the Master need not doubt a fair Trial; the Juries being all Masters, and the Court constantly shew them all just and lawful favour. And if a Verdict pass for the Apprentice, or the Master, no Costs will be allowed to either party.

Many Citizens have been unwilling to have any Cause tried in this Court, or the Sheriffs Court, by reason of insufficient Jurymen that are summoned to try Causes in both Courts. It is very true, there have been in some years men of mean quality and capacity returned for Jurymen to serve in this Court; but the Citizens of *London* are the occasion thereof: For it is the Custom of *London*, that the respective Juries to try Causes in this Court and the Sheriffs, shall be returned by the several Wards in the City of *London* at their Wardmote Inquests every *Christmas*, which they constantly do, by an Indenture under their Hands and Seals: In which Indenture they also return the Names of the Common-council-men, Constables, and Scavengers. There are particular Wards appointed to serve as Jurymen for every Month, which are divided as followeth:

The

The Jurymen returned by the

Wards of { *Aldgate*
Portoken
Cornhill } Serve for the
Month of *January*.

The Ward of *Cheap* for *February*.

The Wards of { *Bassishaw*
Cripplegate within
Cripplegate without } for *March*.

The Wards of { *Vintry*
Breadstreet } for *April*.

The Wards of { *Tower*
Bikingsgate } for *May*.

The Wards of *Farrinden* without for *June*.
The Ward of *Bridge* for *July*.

The Wards of { *Aldersgate*
Colemanstreet
Breadstreet } for *August*.

The Wards of { *Farrinden* within
Castle-baynard } for *Sept.*

The

The Wards of { *Queenhithe*
Dowgate
Woolbrooke } for *October*.

The Wards of { *Langborne*
Limestreet } for *November*.

The Wards of { *Candlewick*
Carduynner
Bishopgate } for *December*.

So soon as the Names are returned by the several Wards, the Town-clerk writes them into a Book, and gives the Officers of this Court a Copy thereof, and also gives a Copy to the Officers of the Sheriffs Court, the same Jury serving for both Courts; and if they are not men of sufficient understanding it is the fault of the respective Wardmotes for not returning able persons.

That the persons so returned, and no other, must serve as Jurymen in this Court and the Sheriffs Court, except in some special Cases where the Court shall order a Jury of Merchants, and in such Case the Town-clerk returns their Names. Note.

That an Apprentice cannot sue out his Indenture against a Freeman but in this Court. Note.

If an Apprentice shall be bound for eight, nine, or ten years, and enrolled, he shall be compelled to serve the full term, and cannot be discharged from his Master after seven years

years service, unless for a very reasonable Cause; and it often happens that one years service, after seven years shall be expired, may be very considerable to the Master.

A Freemans Widow may take a Maid Apprentice for seven years, and Inroll her in like manner as a youth, in case she be above fourteen years of age; but if the Indenture shall be made for less then seven years, it is naught, and against the Custom of *London*, and will not oblige the Apprentice.

If an Exchange-woman or Sempstrix, that hath a Husband free of *London*, take a Maid Apprentice, such Apprentice must be bound to the Husband, and not for less then seven years, and may be inrolled, and made Free at the expiration of her term, in case she continue so long unmarried.

If any Master refuse to make his Apprentice Free when the time mentioned in the Indentures is expired, such Apprentice may (if he have duly served) force his Master to make him Free, by summoning him before the Court of Aldermen, or before the Chamberlain of *London* for the time being.

This Court is also a Court of Equity or Chancery, for any matters within *London*, and the Liberties thereof; and the Recorder for the time being, usually sits as Judge or Chancellor to determine such matters.

The manner of exhibiting a Bill in this Court is thus: First, it must be drawn and signed by one of the four City Council, whose Fee for perusing and signing thereof,

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Courts belonging to London.

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is 6 s. 8 d. then it must be ingrossed and entered in Court, and one of the Officers belonging to this Court, must give the Defendant a Summons personally within the Liberties of *London* to answer such Bill, otherwise he is not obliged to appear. The charge of drawing the Bill is 4 d. for every Sheet, accounting twelve Lines to a Sheet, and 6 d. a Sheet for ingrossing thereof, and for the entering it in Court 2 s. and for the Attorney's Fee 3 s. 4 d.

If an Action shall be depending in this Court, and the party Defendant cannot be relieved but in Equity, in such case he may exhibit his Bill against the Plaintiff in the Action, and the entering the Bill in Court is a good Injunction to stay the Plaintiff's proceedings at Law, without any motion; until the Plaintiff shall give in his Answer thereto.

And note, that when the Bill is to be relieved against an Action at Law, the Plaintiff in the Bill shall not be compell'd to give the Plaintiff at Law any Summons to make answer to the Bill; but if Affidavit shall be made that the Plaintiff at Law was 100 miles from *London* at the time of the exhibiting the Bill, then upon motion to the Court, the Plaintiff at Law shall and may proceed to Trial notwithstanding the Bill, but Judgment and Execution must stay till the Plaintiff at Law answer the Bill, or the Court shall make an Order to the contrary. If an Action at Law shall be commenced in the

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Sheriff's

Sheriffs Court, the Defendant must cause the Action to be removed into this Court, before he can stay the Plaintiffs proceedings at Law, by exhibiting a Bill as aforesaid; and if the Plaintiff at Law answer the Bill, the Plaintiff in Equity may in eight days after the Answer, put in exceptions to the Answer; but if the Answer shall be full, and the Plaintiff in Equity cannot prove the matters in his Bill suggested, the Plaintiff at Law shall recover all his Costs against the Plaintiff in Equity.

Note.

That where a Bill is exhibited, and no Action at Law depending, the Defendant hath 8 Court days given him to Answer the Bill after his Appearance, and if he does not answer the Bill in that time, the Plaintiff in Equity may have an Attachment against him, for which the Fee is 2 s. 6 d. and the Officers Fee for serving thereof is also 2 s. 6 d. which Fees the Defendant must pay when he gives in his Answer.

After Answer the Plaintiff may reply generally or specially, and may examine Witnesses (in like manner as is done in the high Court of Chancery) to prove the Equity of his Bill; and within a Month after Replication, may bring his Cause to a hearing. The Town-clerk or his Deputy is appointed to examin all Witnesses on both sides, and his Fee for swearing and examining every Witness is 2 s. 4 d. and for the Copies of the Depositions 4 d. per Sheet; but for the Copies, *à contra*, his Fee is 8 d. per Sheet.

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The Town-clerk's Fee for every Order for publication or hearing of any Cause, is but 6 *d.* and for an Order at hearing but 1 *s.* but if the Decree be drawn up and inrolled, his Fee is 10 *d.* *per* Sheet, and for the Copy 4 *d.* *per* Sheet. After a Decree made, the Plaintiff must serve the Defendant with a Copy thereof personally, and make Affidavit thereof, before an Attachment will be granted against the Defendant.

That the Plaintiff may serve the Defendant with a Copy of the Decree in any place whatsoever, although out of the Liberties of *London*.

A Bill may be removed out of this Court into the high Court of *Chancery* any time before publication is passed, after which time the high Court of *Chancery* will not retain the Cause.

The manner of removing a Bill out of this Court is thus: First, the Defendant must file a Bill in the high Court of *Chancery* against the Plaintiff in this Court, and then must at the Registers Office give Bond to prove the suggestions in his Bill within fourteen days, and procure Certificate that his Bill is filed, and security given as aforesaid, and then Petition the Lord Chancellor for a *Certiorary* to remove the Bill out of this Court: And when the Petition is answered by his Lordship, the Clerk in *Chancery* will make the *Certiorary*, which must be delivered to the Town-clerk, and he will allow it, for which his Fee is 2 *s.* and then the At-

torney for the Defendant in this Court will certify the Bill, Answer, and Proceeding into the high Court of *Chancery*, for which his Fee is 10 *d.* per Sheet.

If exceptions shall be put in to an Answer in this Court (and a Cause at Law depending between the Parties) the Plaintiff in Equity must the next Court move for a day to argue those exceptions, otherwise they are over-ruled in court.

If the Defendant in Equity demurr or plead to the Plaintiffs Bill, he must the next Court after the Demurrer or Plea is entred, move for an Order to argue such Demurrer or Plea, otherwise the same will be over-ruled in court, and the Defendant will be compelled to give an Answer.

When a Freeman's Apprentice is legally discharged from his Master, his proper way to recover part of the Money which his Master received with him Apprentice, is to exhibit a Bill in this Court against his Master; but if the Apprentice hath served five years, or near that time, this Court will not relieve him, in ordering any money to be returned, unless there be very extraordinary cause.

A Freeman's Widow by a Bill in this Court, may recover her customary part of her Husband's Estate, against the Executor of her Husband; but if the Executor live out of the Liberties of *London*, she will be compelled to exhibit her Bill in the high Court of *Chancery*.

If a Plaintiff in Equity shall be advised not to examin any Witness, he may go to a hearing upon the Bill, and answer within fourteen days after Answer; and in such case the whole Charge will not in probability exceed 3 l.

If any person exhibit a Bill in this Court, whose Habitation shall be out of the Liberties of *London*, this Court upon a motion will order the Plaintiff to give security by Bond to pay the Defendants Costs, in case the Bill shall happen to be dismiss, or in default thereof will dismiss the Bill; and until such Security be given, the Court will not compell the Defendant to give any answer to the Bill.

After answer given to a Bill in this Court, if the Plaintiff do not give in Exceptions in eight days, the Court upon motion will order the Bill to be dismiss, unless the Plaintiff do reply in a weeks time: For which Order the Fee is 6 d. and in case the Bill happen to be dismiss, the Fee for drawing up the Dismission is 6 s. 8 d. which will be allowed to the Defendant in the Costs.

The form or beginning of a Bill
in this Court is thus;

*To the Right Honourable Sir R. C. Knight,
Lord Mayor of the City of London, and to
his Right Worshipful Brethren the Aldermen
of the same City.*

In all humility complaining, sheweth
unto your Lordship and Worships,
your daily Obedience, &c.

The Conclusion thus:

May it therefore please your Lordship
and Worships, out of your accustomed good-
ness, to cause the said A.B. and E.D. to be
warned by one of your Lordships and
Worships Serjeants at Law, and Mini-
sters of this Honourable Court, per-
sonally to be and appear in the same
Court at a day certain, to be by your
Lordship and Worships to them there-
unto prefixed, then and there to make
answer unto all and singular the Pre-
misses upon their Corporal Oaths: And
that they may be enjoined to stand un-
to, perform, and abide such Order and
Decree in the Premises, as to your
Lordship and Worships, upon hearing
the Cause, shall seem meet.

The

*The Practice of the Orphants
Court.*

THIS Court is held before the Major and Aldermen of the City of *London*, who are Guardians to the Children of all Freemen of *London* that are or shall be under the Age of 21 years at the time of their Fathers decease. The common Serjeant of this City is the only person intrusted by the Court of Aldermen to take all Inventories and Accompts of Freemen's Estates: And the common Crier is intrusted to summon all Executors and Administrators of Freemen, to appear before the Court of Aldermen to give in Inventories and Accompts of the personal Estate of such Freemen.

The youngest Attorney in the Lord Major's Court is always Clerk of the Orphants, and is appointed to take all Securities for Orphants Portions; which Securities are constantly taken in the name of the Chamberlain of *London* for the time being: And the Custom is, that in case the Security live out of *London*, they are taken bound by Bond; but if they live within *London*, they are constantly bound by Recognizance.

When a Freeman of *London* dies, leaving Children under age, the Clerks of the respective Parishes within the Bill of Mortality, ought to give the name of such Freeman

to the common Crier of this City, who is thereupon to summon the Widow or Executor of such Freeman to appear before the Court of Aldermen, there to be bound to bring in an Inventory of the Testator's Estate.

And note, that the Court of Aldermen always allow two Months time for the bringing and exhibiting such Inventories.

If the party summoned do not appear, the Lord Major may, if he please, send his warrant and force an appearance: And if any Executor refuse to become bound to bring in an Inventory, the Court of Aldermen may by their power send such Executor to *Newgate*, there to remain till he submit; and the Courts at *Westminster* will not release such person.

The Condition of a Bond for exhibiting an Inventory.

The Condition of this Obligation is such, That if the above bound A. B. do, and shall within two Months now next ensuing bring and exhibit in to the Court of our Sovereign Lord the King, holden before the Mayor and Aldermen of the City of London for the time being, in the Chamber of the Guildhall of the same City, a true and perfect Inventory in writing upon his Corporal Oath

Oath of all and singular the Goods, Chattels, Rights and Credits, Plate, Jewels, ready Money and Debts, which were due and belonging unto the said R. R. deceased, at the time of his death; And also if the said A. B. do not in the mean time purloyn or convey the same, or any part thereof, out of the Freedom or Liberties of the same City, without the licence and consent of the same Court first had and obtained in writing; Then &c. or else &c.

After such Bond given, the Executor must procure four Freemen to appraise the Testators Goods, and must cause them to appear before a Justice of the Peace in London, and take the Oath following before they appraise the Goods.

The Oath.

YOU and every of you shall swear, that the Appraisement you shall make of the Goods and Chattels of A. B. late Citizen and Merchant of London, deceased, shall be a just and true Valuation and Appraisement of the same Goods and Chattels, according to the best of your Judgments and Skills. So help you God.

For which Oath the Fee is only 1 s. 4 d.

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The common Crier must have notice when the Appraisement is to be made; for he is appointed by the Court of Aldermen to be present when all such Appraisments are taken, that he may see the same be fairly done to the best advantage of the Orphants: And unless the common Crier or his Deputy be present, and the Inventory shall be signed by the common Crier, the Court of Aldermen will not allow thereof.

The common Criers Fee for signing every Inventory is 10 s. and for his attendance, during the time of the Appraisment, at least 10 s. per day.

When the Appraisment is made as aforesaid, and signed by the common Crier and the Appraisors, it must be given to Mr. common Serjeant, or one of his Clerks, at his Office in *Guildhall-yard*; and if he approves thereof, he will cause it to be Ingrossed, and a Duplicate thereof to be made for the Executor or Administrator: And when the same is examined by him, and his hand is set thereto in testimony thereof, the Executor or Administrator must in the Court of Aldermen swear the same Inventory is a true Inventory of the Goods and Chattels of the Party deceased, according to the best of his knowledge.

When the Inventory is so exhibited, the Executor must become bound in a considerable Penalty, either to bring in the money that shall appear due to the Orphants by
such

such Inventory, or within two Months, or within that time to give good Security to pay the same into the Chamber of *London*, for the use of the Orphants when they shall come to age, or be married.

The Condition of a Bond to bring in Money, or to give Security, is as followeth.

The Condition of this Obligation is such, That if the above bound A. M. do and shall within two Months now next ensuing, bying, or cause to be brought into the Court of our Sovereign Lord the King, holden before the Mayor and Aldermen of the City of London for the time being, in the Chamber of the Guildhall of the same City, good and sufficient Sureties to be bound for the true and sure payment of the Orphanage and Legatorp portions due and belonging unto the Children and Orphants of the said E. M. deceased, at the time of his death, by the Lawes and Customs of the City of London, or by the last Will and Testament of the said Testator, or else do or shall pay, or cause the same to be paid into the Chamber of London, to the use of the same Orphants, and do and shall from time to time, and at all times hereafter, within one Month next after

The Law and Practice of the

after warning or notice to her given, or for her left in writing, at the now dwelling House of J. W. situate in Cornhill, London, bring or exhibit into the Court aforesaid, a true and perfect Account in writing upon her Corporal Oath, of all and singular the separate, doubtful, and desperate Debts whatsoever, that were due and belonging unto the said E. M. at the time of his death, as shall come to her hands, or to the hands or custody of any other person or persons to her use, or by her appointment: And upon like notice to her to be given, or for her to be left in writing as aforesaid, bring or cause to be brought into the Court aforesaid, good and sufficient Sureties to be bound so the true and sure payment of so much money as upon every such Account shall appear, or be found due or belonging to the same Orphans, or else do and shall pay, or cause the same to be paid, into the Chamber of London, to the use of the same Orphans, without fraud or covin; then &c. or else &c.

If the Executor pay the money into the Chamber of London, the Court of Aldermen usually allow $\frac{1}{2}$ per Cent. Interest for so much of the Testator's Estate as is due to the Orphans by the Custom of London, so as the same exceed not 500 *l.* and for Legacy money $\frac{1}{2}$ *l.* 6 *s.* 8 *d.* per Cent.

If the Executor shall not think fit to pay the
the

the money into the Chamber, he must become bound with three Sureties to the Chamberlain of *London* for the time being, in one or more Recognizances, or else by Bond to pay the money due to Orphants; and in case the Security live within the Liberties of *London*, they must be bound by Bond. Note that if the Sum be 900 *l.* the Security must become bound by three Recognizances, each for the payment of 300 *l.* the Custom being never to make any Recognizance touching Orphants of greater Penalty than 400 *l.* and not for the payment of above 300 *l.*

The Condition of every Bond that is for Security of Orphants Portions, is as followeth:

The Condition of this Obligation is such, That if the within bound S. D. T. G. W. G. and J. Y. or any of them, their, or any of their Executors or Administrators, do, and shall well and truly pay, or cause to be paid, in the Court to be holden before the Mayor and Aldermen of the City of London for the time being, in the Chamber of the Guildhall of the same City, to the within named Sir T. P. Chamberlain of the City of

The Law and Practice of the

of London, or his Successors Chamberlains of the same City for the time being, 100 l. of lawful Money of England, to and for the use and behoof of K. the Daughter and sole Orphant of W. D. late Citizen and Merchant of London, deceased, at such time as the said Orphant shall attain to her full Age of 21 years, or be married, to the said Orphant belonging out of the Goods, Chattels, Rights and Credits of her said Father, by the Lawes and Customs of the City of London, or by his last Will and Testament, or otherwise: And if it shall happen in the mean time before the said Money shall be fully paid as aforesaid, that the said Orphant shall dye and depart this mortal life, then if the said S. D. T. G. W. G. and J. Y. or any of them, their, or any of their Executors or Administrators, do, and shall within one Month next after the death of the said Orphant, pay, or cause to be paid into the Court aforesaid, to the Chamberlain of the City aforesaid, for the time being, the Sum of One hundred pounds so due, and belonging to the said Orphant, to the intent the same may be disposed where of right the same shall appertain. And further, if the said S. D. T. G. W. G. and J. Y. or any of them, their, or any of their Executors or Administrators, do and shall, until the said Money shall be fully paid as aforesaid, find
and

and provide, or cause to be found and provided unto the said Orphant, Wear, Drink, Apparel, Linen and Wollen, and all other Necessaries to the said Orphant meet and belonging, And do not in the mean time willingly permit or suffer the said Orphant to be married, clopned, bound Apperntice, or by any other ways or means to become bound, without the special licence and consent of the Mayor and Aldermen of the City aforesaid so the time being first obtained: And if it shall happen that the said S. D. T. G. W. G. and J. Y. or any of them, shall dye and depart this mortal life, or grow into poverty or insufficiency in their or any of their Estate or Estates, before the said Money shall be paid as aforesaid, Then if the said S. D. T. G. W. G. and J. Y. or any of them, their, or any of their Executors or Administrators, do, and shall within one Month next after such dying, decaying, growing into poverty or insufficiency in their or any of their Estate or Estates, as aforesaid, bring, or cause to be brought in to the Court aforesaid, to be holden before the Mayor and Aldermen of the City aforesaid so the time being, such and so many other good and sufficient Surety and Sureties as the same Court, so the time being, shall accept and allow of, who shall and will then and there become bound to the Chamberlain of the City

City aforesaid, for the time being, in manner and form and every condition (Mutatis Mutandis) as in these Presents contained in the head or place of him or them so dying or decaying, growing in to poverty or insufficiency in Estate or Estates, as aforesaid. And lastly, if the said S. D. &c. or any of them do hereby appear before the Mayor and Aldermen of the City aforesaid, for the time being, in the Chamber of the Guildhall of the same City, on Monday next after Midlent Sunday, That then, &c. or else &c.

The Lord Mayor and Court of Aldermen do meet at *Guildhall*, and sit in the Orphants Court, there once in every year, viz. on the Monday morning after Midlent Sunday, purposely to hear the Names of all the Securities that stand bound for Orphants Portions called over, and therefore that day is termed Call-day, upon which day one of every of the Sureties ought to appear to give an account, whether the other Securities are living, and in good condition, and whether the Orphants are living and married.

If none of the Security appear upon that day, they forfeit their Recognizances and Bonds, and the Clerk of the Orphants in such case must make out Process against the Security, and force them to give the Accompt above required, and pay the Charges of the Process.

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The Security must take particular care that none of the Orphans marry, or be put Apprentice with their consents without the leave of the Court of Aldermen first obtained for that purpose. And as the Orphans come to be of the age of One and twenty years, or shall be married with the consent of the Court of Aldermen, they must take care to bring them to *Guildhall*, with a person to prove the age of such Orphan; and then the Orphan must acknowledge satisfaction for the Money due to him, or her, of the Testators Estate, which must be done in the Court of Aldermen; but one of Mr. Common Sergeant's Clerks must first draw up a Note to this; or the like effect.

J. B. Parish Clerk and Register of All-hallows Lumberstreet, London, is come to prove unto this Honourable Court, upon his Corporal Oath, That R. B. one of the Sons and late Orphans of R. B. late Citizen and Merchant of London, deceased, is of the full Age of 21 years. And the said R. B. the Son, is come to acknowledge satisfaction to this Honourable Court for 500 l. growing due unto him for his own part and portion of the Goods, Chattels, Rights and Credits of the said R. B. his late Father deceased, by the Laws and Customs of the City of London.

If a Freeman leaves Lands and Tenements to his Children, the Executor must become bound with Sureties to accompt for the Rents and Profits of such Lands with Condition, as followeth :

The Condition of a Bond to Accompt for Rents, &c.

THe Condition of this Obligation is such, That whereas A. W. Executor of the last Will and Testament of J. W. late Citizen and Skinner of London, deceased, is by order of the Court of Orphans, holden before the Mayor and Aldermen of the City of London, appointed to receive the Rents, Issues, and Profits of certain Lands, Messuages, and Tenements in the Parish of B. in the County of M. which are bequeathed to R. the Son and Orphan of the said J. W. in and by the last Will of the said J. W. when the said Orphan shall attain the Age of 21 years: If therefore the said A. W. her Executors or Administrators, do and shall from time to time, and at all times hereafter, until the said Orphan shall attain the Age of 21 years, well and truly pay, or cause to be paid, the yearly Rent of 10*l.* reserved in the Grants or Leases of the same Lands and Messuages, according
to

to the Covenants of the same Leases;
And also do, until the said Orphan
shall attain the aforesaid Age, keep and
maintain the said Messuages, and eve-
ry of them, in good repair; And do and
shall convey, assign, and assure unto the
said Orphan, when he shall attain the
full Age of 21 years, the same Lands
and Messuages, and every of them,
discharged and freed from all Rent or
Rents in the said Leases or Grants re-
served, and from all and all manner of
Forfeitures and Rentries, and well and
sufficiently repaired and sustained: And
if the said A. W. her Executors or Ad-
ministrators, shall not do any act or acts,
thing or things, whereby the said Or-
phan shall not enjoy the said Land and
Messuages at the said Age of 21 years,
without incumbrances, from her, them,
or any of them, That then, &c. or else,
&c.

When any Orphan is of full Age, and shall acknowledge satisfaction in the Court of Aldermen for all Moneys due to him or her; The same Court, upon motion made by Mr. Common Sergeant, doth constantly order, That all Bonds entered into for the payment of such Orphans Portion shall be delivered up, and cancelled, and if the Security became bound by Recognizances, the Clerk of the Orphans will cross and discharge such Recognizances, for which his Fee is 2 s. upon each Recognizance.

The Chamber of *London* is accounted the safest and best Security in or about *London*; for the Moneys paid therein to the use of the City, or any Orphan, is constantly repaid upon demand without any trouble. And when Orphans come to Age, or be married, with the consent & approbation of the Court of Aldermen, they may receive their Portions (if paid into the Chamber) at an hours notice, although the sum shall be Ten thousand pounds or more; Mr. Chamberlain or his Clerks attending daily for that purpose.

The Interest or finding Money is constantly paid as it becomes due, and the Court hath always taken great care that every Orphan shall receive his and her Portions out of the Chamber of *London*, without paying any other or greater Fees then hath been anciently taken; and if any Officer exact or take

take any other Fees, the Parties will, upon their application and evidence of the Fact to the Court of Aldermen, have remedy, and all just relief against the Offenders.

Mr. Common Sergeant keeps his Office in *Guildhall-yard*, near *St. Lawrence's Church*, and constantly attends to dispatch all persons that are concerned for Orphans, and will not permit any Fees to be taken for any business to be done by virtue of his Office, more then hath been paid time out of mind; and if any of his Clerks exact any greater Fees, he will upon complaint cause satisfaction to be given to the Party grieved.

The Widow of every Freeman, if she shall be Executrix or Administratrix of her Husbands Estate, ought by the Custom of *London* to exhibit a true Inventory of her Husbands Estate into this Court before she contract Marriage, otherwise the Court of Aldermen may impose a reasonable Fine upon such Executrix or Administratrix, to the use of the Orphans of such Freeman.

To prevent abuses that sometimes happen to Freemans Estates in prejudice of Orphans by Executrices and Administratrixes not giving an Inventory in due time after the Testator's decease; The Court of Aldermen have made an Order not to allow any finding Money or Interest for any Money that shall be paid into the Chamber of *London* by any Executor or Administrator belonging to any Freemans Estate, until such time as the Executor or Administrator of such Freeman do

bring in and exhibit upon Oath a true and perfect Inventory to his knowledge of all the Goods , Chattels, Plate, Jewels, ready Money, and Debts, which did belong to such Freeman at the time of his death.

It is the interest and advantage of all Executors and Administrators of Freeman to exhibit Inventories of the Estates of such Freeman within the time limited and appointed by the Court of Aldermen, for the doing thereof, especially such as shall leave no greater Estate then to pay their Debts : For if upon the bringing any Inventory into the Court of Aldermen , it shall appear to the Court, that the Testator did not leave more Estate then to pay his just Debts, in such case the Court will discharge such Executor or Administrator of the Recognizance he gave for exhibiting an Inventory without paying any Fee to any Officer whatsoever : Provided such Executor or Administrator bring in such Inventory, when he shall have notice from Mr. Common Crier so to do.

The Court of Aldermen do commit the custody of Orphans to such person or persons as they shall think fit, and if any person whatsoever do intermarry with any Orphan without the consent of the same Court first obtained, such person may be fined by the said Court, according to the quality and portion of the Orphan, and unless such person do pay the Fine, or give Bond to pay the same in some reasonable time, the Court of Aldermen may commit him

him to *Newgate*, there to remain until he submit to their order: And although such person shall have ten times a better Estate then the Orphan he intermarries, yet he must submit to pay such Fine as the Court shall impose upon him: But if he settle an Estate upon the Orphan as the Court shall direct, and make application to the same Court by Petition to have the Fine remitted, they will in probability shew favour to such person, as they have done in the like cases.

This Custom hath been adjudged reasonable, and was argued in the Court of *Kings Bench*, in the Case of a Merchant that had a good Estate, who intermarried with an Orphan, without the consent of the Court of Aldermen: The Orphan had but 200*l.* or thereabouts in the Chamber of *London*, but her Portion was 800*l.* and upon hearing the matter in the Court of Aldermen, the Merchant did seem to justify himself, because he had the consent of the Orphans Relations: Thereupon the Court ordered him to pay 40*l.* as a Fine, which he refused, and was committed to *Newgate*: And after some considerable time he brought a *Habeas Corpus*, which was allowed, and the cause of his Imprisonment returned; and upon perusal of the Return, and after long debate had by Counsel on both sides, the Court of *Kings Bench* remanded the Gentleman back to Prison, and directed him to submit to the Court of Aldermen; which

he did by paying the Fine, and was thereupon discharged; but upon his humble Suit to the Court, a great part of his Fine was returned.

The Lord Major, Aldermen, and Commons of the City of *London* in Common Council have made several good Acts and Orders to prevent Freemens Children from marrying, without the consent of their Parents and Guardians, and to keep them from vicious Courses; more particularly by an Act of Common Council in the Majoralty of Sir *Andrew Judd* Knight, in the Fifth year of King *Edward* the Sixth, It is enacted and established for a Law perpetual to be observed and kept within the said City, as followeth, viz.

First, If any Manchild or Woman-child shall maliciously go about, or attempt to do or cause to be done, any bodily harm, death, or destruction to his or their Father or Mother; or if any Manchild do hereafter marry or contract marriage in the life of his Father or Mother, by whom he will claim any portion under the age of One and twenty years, without the consent of his said Father or Mother, by whom he will claim any portion; or if any Woman-child do hereafter marry or contract marriage in the life time of her Father or Mother, or other Parents, by whom she shall claim any portion before the age
of

of eighteen years, without the consent of her father, or such other Parent, by whom she shall or may claim any portion; or if any Whorechild be a Thief, or a felon, or common Whore-hunter, or common Dicke, or common player at unlawful Games notoriously known; or if any Womanchild shall hereafter commit any whoredom, or be a common pickier, that then every of the persons so offending shall be barred and excluded to have or demand any portion: Prohibited always, that it shall be lawful for the father or Mother of any such Child or Childzen, to give and bequeath in Legacy to such Child or Childzen as much as the portion of such Child so offending shall amount unto by the Custom of the said City, and then such child thereby to be enabled to have and demand the same as portion, this Notwithstanding, so that the same Legacy be contained in his or their Testament in writing, and not otherwise; and that then and from thenceforth his said child or childzen to be admitted and restored to claim such Legacy or Legacies, in such sort, manner, and form, as if there had been never such offence done or committed by any such child.

Item, It is further ordained, enacted, authorized and established by Authority aforesaid, That if any Womanchild, being an Orphan, and under the age of
One

One and twenty years, at any time hereafter after the death of her father, do censure or contract herself in marriage, or else according to the Ecclesiastical Lawes of this Realm do perfectly solemnize or consummate marriage with any Freeman of this City, the consent and agreement of the Lord Mayor and Aldermen of the said City of London for the time being not obtained and had, that then for every such default and offence committed or done by any Orphan or Orphans of the said City, the same being confessed or sufficiently proved by two Witnesses, or otherwise, before the Lord Mayor and Aldermen of the said City of London for the time being, at and in a Court of Aldermen, she or they that so happens to behave her or themselves, as is aforesaid, shall forfeit and forego and lose 12 d. of and for every pound so due, or to be due unto her or them, by reason of any such Orphanage, the said sum of 12 d. for every pound to go, or be to the use of the Chamber of the said City, according to the ancient Custom before this time in such case used. And if the said contract or marriage of such Orphan or Orphans be made with any foreign, not being free of this City, at the time of any such contract or marriage made, that then the said Orphan or Orphans, or every of them, shall forfeit and lose three shillings for every pound

pound due, or to be due, unto her or them by virtue of any Orphanage or Custom had or used within the said City, one shilling of the said three shillings of every pound to go, or to be to the use of the Chamber of the said City, in such manner and form as is aforesaid, and the other two shillings so forfeited of every pound to go to the use of such other Orphan or Orphans as then shall remain unmarried, or else for default of such Orphans or Orphan, to remain to the next of the kindred of the Orphan so offending.

Also be it further Enacted, Ordained and Established by Authority aforesaid, for and in discharge of divers Variances, Contentions, and Suits that daily heretofore have, and hereafter may ensue, That if a freeman's child, man or woman, fortune to be married hereafter, in the life time of his or their father, by this consent, and not fully advanced of and to his and her full part or portion of his or her said father's Goods as he shall be worth at the time of his decease, according to the ancient Laws and Customs of the said City, That then every such freeman's child so being married in the life time of his or her father, shall be to all intents and purposes disabled to demand any further part or portion of his or her father's Goods, after the decease of his or her father, but shall

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shall be adjudged, reputed, or taken to be fully advanced, according to the Law and Custom of this City, and hath been long time out of mind, except his or her said father do mention certainly in the last Will or Testament, or by some other writing signed with his own proper name or mark, the certainty of the sum or sums, Goods or Chattels, and the value of them that the father gave, paid, or departed withal, or otherwise assured, or hereafter shall give, pay, depart withal, or otherwise make assurance of unto him or her, before, at, or after the marriage of him or her, or otherwise, in his life time, so and towards their advancement, in the name of his or her part or portion, and then every such Orphan or Child, which after the decease of his or her said father, can bring forth the said Testament or other Writing signed or marked with the fathers hand or mark, wherein the certainty of such Money, Goods, or Chattels as they gave, or shall have received of their said father, or by the same father assured by Specialty or otherwise, shall have as much more of the ready Money, Goods, Chattels, and Debts of the said father, as with that which he or they shall have received towards their advancement in the life of the said father, shall make up a full childs part of his Goods and Chattels, as he shall be worth

worth at the time of his decease, the same to be demanded, asked, and claimed, or sued for against the Executors or Executors, Administrators or Administrators of the Goods and Chattels of the said father, by Bill original to be commenced in our Sovereign Lord the King's Court, holden in the utter Chamber of the Guildhall of the said City, before the said Lord Mayor and Aldermen of the same City for the time being, any Law or Custom heretofore made or used to the contrary notwithstanding; In which Action no wager of Law or Escoign shall be admitted or allowed.

Provided always, and it is further enacted, That if any freemans Son, being of full age, which shall hereafter be married with the consent of his father, or any other person, being of full age, which shall hereafter marry any freemans Daughter, do at the time of the Espousals, or at any time after, confess themselves by writing fully satisfied of his or their portions, or do otherwise, or discharge the said father of such Sons or Daughters, of all their part and portion due, or to be due, by the Law and Custom of the City, that then every such person so confessing, acquitting, or otherwise discharging, shall be reputed and taken as fully advanced of his or their whole part or portion, and shall not be able to demand any further

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oꝛ greater part of the Substance, Goods, and Chattels of his oꝛ her father, this Law oꝛ any other Law oꝛ Custom heretofore made oꝛ used to the contrary notwithstanding.

And further, Forasmuch as it is thought very prejudicial and hurtful to the Fatherless Children and Orphans, when the Mother, oꝛ Mother-in-law, being Executor of the last Will and Testament of her late Husband, by whom, and after whose death, the Orphans are entituled to an Orphanage, according to the laudable Customs and Ordinances of this City, do divers times marry oꝛ contract Matrimony, some with foreigners and persons unknown, and some with Strangers, before a just Inventory of the Goods, Chattels, Plate, Jewels, and ready Money of the Testator be by them brought in, by reason whereof many times they either for fear oꝛ affection of their Husbands, oꝛ for some other sinister cause, do bring in very suspicious Inventories, omitting therein either ready Money, Plate, Jewels, oꝛ Debts, oꝛ some other thing oꝛ things, whereby some benefit should redound to the Fatherless children, to the great loss and hinderance of the Orphans, and sometimes slander to the Lord Mayor and Aldermen of this City, notwithstanding the great care and travail that they take for the good ordering

ing and true answering of the said Orphan.

It is therefore by like Authority ordained, established, and enacted, That if after the first day of November next ensuing, any Widow which is or shall be made Executo^r of the Testament and last Will of her late Husband, being a Freeman, or shall take upon her the Administration of the Goods and Chattels of her late Husband, being a Freeman, do not upon her Oath bring in and exhibit, or cause to be brought in or exhibited, before the Lord Mayor and Aldermen of this City for the time being, at and in a Court of Aldermen, a just and perfect Invento^r, to their knowledge, of all the Goods, Chattels, Plate, and Jewels, ready Money and Debts, as were her said Husbands at the time of his death, appraised according to the Law of the said City, before she do ensure herself in marriage, or contract marriage, or else according to the Laws of the Realm, do perfectly solemnize or consummate marriage with any person before such time as aforesaid, that then every person so offending shall forfeit and lose eight shillings of every pound of her portion of the Goods of her late Husband, due to her by the laudable Customs of the said City, the same to go to the use of such Orphan or Orphans as then shall be intitled to have or demand

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mand any Orphanage or Portion after the death of his or her late father, the same so demanded, asked, claimed, or sued against such Executors or Administrators, and by Bill original of Debt to be commenced in our Sovereign Lord the King's Court aforesaid, any Law or Custom heretofore had, made, or used to the contrary notwithstanding; In which Action no wager of Law or Escoign shall be admitted or allowed.

THIS Law or Act is called *Juda's Law*, and is not repealed; but the Lord Mayor and Aldermen have sometimes for especial reasons thought fit to dispence with the same Act in favour of Orphans that have sought relief against the Penalties therein mentioned.

By the Custom of *London* a Freeman's Widow may require a third part of his personal Estate after his Debts paid, and Funeral Charges discharged, besides her Widows Chamber furnished; and his Children may require another third part thereof, and the Freeman may by his last Will give away the other third part of his Estate, either to his Wife, or any of his Children, or any other person whatsoever, but if he shall have no Children, then his Widow may require a *Moiety* of his personal Estate, after Debts paid, together with her Widows Chamber fur-

Furnished. And if a Freeman shall make his Will contrary to this Custom, and give away more then a third of his Estate from his Wife and Children, they may be relieved against such Will by exhibiting their Bill in this Court against the Executor of such Freeman, and so much of his Will as shall be contrary to the custom will be declared void and of no effect.

If a Freeman shall in the time of his last sickness, give and deliver any part of his Goods, Chattels, or Moneys to his Wife or Child, or any other person, with intent that such person shall keep the same Moneys or Goods to his or her own use: Such Gift is against the Custom of *London*, and the Moneys or Goods so given shall be accounted part of the Estate that belonged to such Freeman at the time of his death, and may be recovered by Bill in this Court: For a Freeman cannot in the time of his sickness whereof he shall dye, give away any part of his Estate, otherwise then by his last Will.

If an unfreeman, or any other person, shall by his Will give a Legacy to an Orphant, the Court of Aldermen may compel the Executor of such unfreeman to pay the Money bequeathed into the Chamber of *London*, or give Bond to pay the same according to the purport of the Will.

If a Freeman dye without a Will, and leave a Wife and Children, Administration of his Estate will be granted to his Wi-

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dow,

dow, and she will claim a third part of his Estate by the Custom of *London*, and one third must be divided amongst his Children, and the other part thereof must be divided between the Wife and Children; and usually the Widow is allowed two thirds of the Freeman's third part, and the Children one third thereof.

If a Freeman shall give part of his Estate to any of his Children in life time in marriage or otherwise, and afterwards die and make a Will, and give away his Estate to his other Children, and shall declare that the Child he so disposed in marriage, had received 500*l.* or more of his Estate, and was thereby fully advanced; such declaration shall not bar the person so married, but he or she may recover an equal share with the other Children of the personal Estate that belonged to such Freeman at the time of his death; but then such person must bring in the Money received of his Father in his life time, and reckon it part of the Estate left by such Freeman at his death; and such bringing in the Money is called bringing it into *Hatchpost*.

If a Freeman shall settle or make over any part of his Estate to the use of his Children, with design to defraud his Wife of her full third part, the Widow may, after his death, set aside such Settlement by a Bill in this Court.

When

*Re in testator's
 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100. 101. 102. 103. 104. 105. 106. 107. 108. 109. 110. 111. 112. 113. 114. 115. 116. 117. 118. 119. 120. 121. 122. 123. 124. 125. 126. 127. 128. 129. 130. 131. 132. 133. 134. 135. 136. 137. 138. 139. 140. 141. 142. 143. 144. 145. 146. 147. 148. 149. 150. 151. 152. 153. 154. 155. 156. 157. 158. 159. 160. 161. 162. 163. 164. 165. 166. 167. 168. 169. 170. 171. 172. 173. 174. 175. 176. 177. 178. 179. 180. 181. 182. 183. 184. 185. 186. 187. 188. 189. 190. 191. 192. 193. 194. 195. 196. 197. 198. 199. 200. 201. 202. 203. 204. 205. 206. 207. 208. 209. 210. 211. 212. 213. 214. 215. 216. 217. 218. 219. 220. 221. 222. 223. 224. 225. 226. 227. 228. 229. 230. 231. 232. 233. 234. 235. 236. 237. 238. 239. 240. 241. 242. 243. 244. 245. 246. 247. 248. 249. 250. 251. 252. 253. 254. 255. 256. 257. 258. 259. 260. 261. 262. 263. 264. 265. 266. 267. 268. 269. 270. 271. 272. 273. 274. 275. 276. 277. 278. 279. 280. 281. 282. 283. 284. 285. 286. 287. 288. 289. 290. 291. 292. 293. 294. 295. 296. 297. 298. 299. 300. 301. 302. 303. 304. 305. 306. 307. 308. 309. 310. 311. 312. 313. 314. 315. 316. 317. 318. 319. 320. 321. 322. 323. 324. 325. 326. 327. 328. 329. 330. 331. 332. 333. 334. 335. 336. 337. 338. 339. 340. 341. 342. 343. 344. 345. 346. 347. 348. 349. 350. 351. 352. 353. 354. 355. 356. 357. 358. 359. 360. 361. 362. 363. 364. 365. 366. 367. 368. 369. 370. 371. 372. 373. 374. 375. 376. 377. 378. 379. 380. 381. 382. 383. 384. 385. 386. 387. 388. 389. 390. 391. 392. 393. 394. 395. 396. 397. 398. 399. 400. 401. 402. 403. 404. 405. 406. 407. 408. 409. 410. 411. 412. 413. 414. 415. 416. 417. 418. 419. 420. 421. 422. 423. 424. 425. 426. 427. 428. 429. 430. 431. 432. 433. 434. 435. 436. 437. 438. 439. 440. 441. 442. 443. 444. 445. 446. 447. 448. 449. 450. 451. 452. 453. 454. 455. 456. 457. 458. 459. 460. 461. 462. 463. 464. 465. 466. 467. 468. 469. 470. 471. 472. 473. 474. 475. 476. 477. 478. 479. 480. 481. 482. 483. 484. 485. 486. 487. 488. 489. 490. 491. 492. 493. 494. 495. 496. 497. 498. 499. 500. 501. 502. 503. 504. 505. 506. 507. 508. 509. 510. 511. 512. 513. 514. 515. 516. 517. 518. 519. 520. 521. 522. 523. 524. 525. 526. 527. 528. 529. 530. 531. 532. 533. 534. 535. 536. 537. 538. 539. 540. 541. 542. 543. 544. 545. 546. 547. 548. 549. 550. 551. 552. 553. 554. 555. 556. 557. 558. 559. 560. 561. 562. 563. 564. 565. 566. 567. 568. 569. 570. 571. 572. 573. 574. 575. 576. 577. 578. 579. 580. 581. 582. 583. 584. 585. 586. 587. 588. 589. 590. 591. 592. 593. 594. 595. 596. 597. 598. 599. 600. 601. 602. 603. 604. 605. 606. 607. 608. 609. 610. 611. 612. 613. 614. 615. 616. 617. 618. 619. 620. 621. 622. 623. 624. 625. 626. 627. 628. 629. 630. 631. 632. 633. 634. 635. 636. 637. 638. 639. 640. 641. 642. 643. 644. 645. 646. 647. 648. 649. 650. 651. 652. 653. 654. 655. 656. 657. 658. 659. 660. 661. 662. 663. 664. 665. 666. 667. 668. 669. 670. 671. 672. 673. 674. 675. 676. 677. 678. 679. 680. 681. 682. 683. 684. 685. 686. 687. 688. 689. 690. 691. 692. 693. 694. 695. 696. 697. 698. 699. 700. 701. 702. 703. 704. 705. 706. 707. 708. 709. 710. 711. 712. 713. 714. 715. 716. 717. 718. 719. 720. 721. 722. 723. 724. 725. 726. 727. 728. 729. 730. 731. 732. 733. 734. 735. 736. 737. 738. 739. 740. 741. 742. 743. 744. 745. 746. 747. 748. 749. 750. 751. 752. 753. 754. 755. 756. 757. 758. 759. 760. 761. 762. 763. 764. 765. 766. 767. 768. 769. 770. 771. 772. 773. 774. 775. 776. 777. 778. 779. 780. 781. 782. 783. 784. 785. 786. 787. 788. 789. 790. 791. 792. 793. 794. 795. 796. 797. 798. 799. 800. 801. 802. 803. 804. 805. 806. 807. 808. 809. 810. 811. 812. 813. 814. 815. 816. 817. 818. 819. 820. 821. 822. 823. 824. 825. 826. 827. 828. 829. 830. 831. 832. 833. 834. 835. 836. 837. 838. 839. 840. 841. 842. 843. 844. 845. 846. 847. 848. 849. 850. 851. 852. 853. 854. 855. 856. 857. 858. 859. 860. 861. 862. 863. 864. 865. 866. 867. 868. 869. 870. 871. 872. 873. 874. 875. 876. 877. 878. 879. 880. 881. 882. 883. 884. 885. 886. 887. 888. 889. 890. 891. 892. 893. 894. 895. 896. 897. 898. 899. 900. 901. 902. 903. 904. 905. 906. 907. 908. 909. 910. 911. 912. 913. 914. 915. 916. 917. 918. 919. 920. 921. 922. 923. 924. 925. 926. 927. 928. 929. 930. 931. 932. 933. 934. 935. 936. 937. 938. 939. 940. 941. 942. 943. 944. 945. 946. 947. 948. 949. 950. 951. 952. 953. 954. 955. 956. 957. 958. 959. 960. 961. 962. 963. 964. 965. 966. 967. 968. 969. 970. 971. 972. 973. 974. 975. 976. 977. 978. 979. 980. 981. 982. 983. 984. 985. 986. 987. 988. 989. 990. 991. 992. 993. 994. 995. 996. 997. 998. 999. 1000.*

When an Inventory is exhibited in this Court, and the Orphants can prove any Goods omitted or undervalued, or any Debts charged to be owing from the deceased, which were not real and just Debts, in such case the Clerk, upon complaint made, will summon a Jury to enquire whether the Inventory so exhibited, be a true and perfect Inventory, or not? And if the Jury find any omissions, undervaluations, or surcharges, then the same Clerk will sue the Executor upon the Bond he gave for exhibiting an Inventory, and will thereby compell him to make good to the Estate so much as shall be found by the Jury to be omitted, undervalued, or surcharged, unless he can by proof discharge himself thereof before the Court of Aldermen, who upon application made by any Executor, will examin into the Acccompts of such Executor, and do right to all parties, without any expence to the Executor or the Orphants.

When it shall appear by any Inventory that many Debts are standing out due to the deceased, the Court of Aldermen do constantly compel the Executor to give Bond to render a true Accompt from time to time when he shall be thereunto required; the Condition of which Bond is as followeth.

The Condition of a Bond to Accompt.

The Condition of this Obligation is
such, That if the above bounden A.
B. do at all and every time and times
hereafter, within One month next after
warning to him to be given, or for him
to be left in writing at the now Dwel-
ling-house of R. B. situate in Cornhill in
London, bring and exhibit into the Court
of our Sovereign Lord the King, to be
holden before the Mayor and Aldermen
of the City aforesaid for the time being,
in the Chamber of the Guildhall of the
same City, a true and perfect Accompt
in writing upon his Corporal Oath, of
all and singular the separate, doubtful,
and desperate Debts whatsoever, which
were due and belonging to R. R. late Ci-
tizen and Grocer of London, deceased,
at the time of his death, as shall come
to his hands or custody, or to the hands
or custody of any other person or persons
to his use, or by his appointment, and
upon like notice to him to be given, or
for him to be left in writing as aforesaid,
bring, or cause to be brought, into the
Court aforesaid, good and sufficient
Sureties to be bound for the true and
sure payment of so much Money as up-
on

on every such Accompt shall appear, or be found due or belonging to the Children and Orphants of the said R. R. or else do and shall pay, or cause to be paid into the Chamber of London, to the use of the same Orphants, so much Money as upon every such Accompt shall appear, or be found due or belonging to the same Orphants; That then, &c. or else, &c.

It is usual once in Twelve months to summon the Executor to give an accompt, and if upon the exhibiting thereof it shall appear that any Money is due to the Orphants, the Executor must either pay the same Moneys into the Chamber of *London*, or give good Security to pay the same; which if he omit or refuse, his Bond will be put in suit against him.

The method for giving an Accompt.

THe Executor must write an Accompt of his Receipts and Payments since the Inventory exhibited, and give it to Mr. Common Sergeant, who will examin it, and cause it to be ingrossed, and set his Hand thereunto, and to a Duplicate thereof for the Executor; and then the Executor must

make Oath before the Court of Aldermen that the Accompt is true.

Note.

That if any Executor cannot give in his Accompt according to the time mentioned in his Bond, he must apply himself to the Court of Aldermen for further time, which is usually granted.

Fees to be paid when Security is given for Orphants Moneys, if the Sum to be secured amount to 100 l. and do not exceed 300 l.

	s.	d.
To the Common Sergeant	6	8
To the Common Crier	6	8
To the Town Clerk	2	0
To the Clerk of the Orphants	1	4
	<hr/>	
	16	8

The like Fees must be paid for every 300 l. that is secured; and if the Sum secured be 1000 l. then the Security must enter into 4 Recognizances; the last of which Recognizances must be for payment of 100 l. only the Fees in such case will amount to 34 6s. 8d.

If the Sum secured is but 20 *l.* then the Fees are as followeth :

	<i>s.</i>	<i>d.</i>
To the Common Sergeant	3	4
To the Common Crier	3	4
To the Town Clerk	2	0
To the Clerk of the Orphants	1	4
	<hr/>	
	10	0

If the Sum of any Recognizance shall be under 20 *l.* then the Common Sergeant's Fees and Common Criers Fees are but One penny in every pound : But the Town Clerk and Clerk of the Orphants have the same Fees as above is mentioned.

*Fees to be paid for acknowledging satisfaction upon 4 Recognizances for 1000 *l.**

	<i>s.</i>	<i>d.</i>
To the Common Sergeant upon every Recognizance	6	3
To the Common Crier	5	6
To the Town Clerk	2	0
To the Clerk of the Orphants	1	4

The Fees in such case will in the whole amount to three pounds.

If satisfaction is to be acknowledged upon a Recognizance but for 20 *l.* then the Fees are as followeth:

	<i>s.</i>	<i>d.</i>
To the Common Sergeant	3	4
To the Common Crier	2	6
To the Town Clerk	2	0
To the Clerk of the Orphants	1	4
	<hr/>	
	9	2

But if the Moneys due to the Orphants shall be paid into the Chamber of *London*, then there is no Fees due to any person.

Here followeth the form of a Bill for the Son of a Freeman unadvanced by his Father in his life time, to recover the Customary part of his Fathers Estate.

To the Right Honourable, &c.

Humbly complaining, sheweth unto your Lordship and Worshipps, your daily Orator A. B. of London, Gent. Son of J. B. late Citizen and Mercer of London, deceased, That whereas there is now, and so; all the time whereof the memory of man is not to the contrary, there hath been an ancient and laudable Custom used, continued, and approved within

within this Honourable City of London and Liberties thereof, and by several Acts of Parliament ratified and confirmed, That if any Citizen and Freeman of this said City of London, happen to dye, having at the time of his death no Wife, but a Child or Children of his Body lawfully begotten, unadvanced in the life time of such Citizen and Freeman with the Goods and Chattels of Citizen and Freeman so deceasing; And such Citizen and Freeman of the said City of London so deceasing, being of his death possessed of, or any ways interested in any Goods, Chattels, and other personal Estate, and so dying a Freeman of the said City of London, Then and in such case all and singular the Goods, Chattels, and personal Estate wherof such Citizen and Freeman of the said City of London was so possessed of, or interested in at the time of his death, after deduction and defalcation made of the just and due Debts that were owing by such Citizen and Freeman so deceasing at the time of his death, and of the reasonable and customary expences of the Funeral of such Citizen and Freeman so deceasing, is and ought to be, and so; all the time aforesaid have been accustomed to be divided into two equal Moieties and half parts and portions, and disposed of in manner following, viz. one moiety and equal half part there.

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ther of both belong, and ought to go to the Child of such Citizen and Freeman of the said City, of his Body lawfully begotten, and unadvanced by his or her said Father in his life time, with the Goods or Chattels of such Citizen and Freeman so deceasing; And if such Citizen and Freeman of London so dying, shall have more then one Child of his Body lawfully begotten, at the time of his death, unadvanced by their said Father in his life time with the Goods and Chattels of such Citizen and Freeman so deceasing, then the said moiety or equal half part of the Goods, Chattels, and other personal Estate wherof such Citizen and Freeman shall dye possessed of, or be interessed in, at the time of his death, both belong, and ought to go and be divided to and amongst such Children of such Citizen and Freeman of the said City, of his Body lawfully begotten, and unadvanced by his, her, or their said Father in his life time, with the Goods or Chattels of such Citizen and Freeman so deceasing, share and share alike as his, her, and their Orphanage or customary part and portion of, and in the said Goods, Chattels, and other personal Estate of such Citizen and Freeman so deceasing; And the other moiety or equal part of the said Goods, Chattels, and other personal Estate wherof such Citizen and Freeman of the said City

City of London, shall be possessed of, or be any ways interested in at the time of his death, both belong to such Citizen and Freeman so deceasing, to be at his dispose in and by his last Will, if he shall make any, or to go to the Executor, or Executors of such last Will and Testament, or to the Administrator, or Administrators of the Goods and Chattels of such Citizen and Freeman so deceasing, as the case doth require; And by the said Custom of this Honourable City of London, all and every Wills and Testaments, Devise or Devises, or other Acts made or done by any such Citizen of the said City of London, for devising, settling, or disposing of his personal Estate, or any part thereof, contrary to, or not agreeable with the said Custom of the said City of London, is, and are, and runne out of mind have been deemed and adjudged by the usage of the said City, as unto so much thereof as hath been contrary to the said Custom, fraudulent, void, and of none effect: And your Orator further sheweth, that his said late Father J. B. was in his life time, and at the time of his death, a Citizen and Freeman of this Honourable City of London (to wit) of the Company of Mercers of London, and was then possessed of, and interested in a personal Estate, consisting in Goods, Chattels, Wares, Treasures, ready Money, Plate,

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Plate, Householdstuff, Linnen, Wollen, Bedding, Draps and Pewter, and of Debts due by Specialties, and of Debts due without Specialties, and of other things of the value of Eight hundred pounds; And he the said J. B. being so possessed of such Estate, did in his life time, viz. in or about the day of last, make his last Will and Testament in writing, and thereof did constitute and appoint E. B. his Executor; And shortly afterwards, viz. on the day of last past, he the said J. B. pour Oators said late Father departed this life, being at the time of his death a Citizen and Freeman of this City, and then possessed of, and interested in the personal Estate aforesaid, having no Wife, and but one onely Child, viz. pour said Oator, who was altogether unadvanced by his said late Father in his life time with the Goods or Chattels of his said late Father; And he the said E. B. shortly after the death of the said J. B. proved the said last Will and Testament, and took upon him the execution thereof; And by virtue thereof the said E. B. hath possessed himself of all and every the said Goods, Chattels, Treasures, ready Monie, Plate, Householdstuff, Linnen, Wollen, Bedding, Draps, Pewter, and other the said personal Estate, whereof the said J. B. pour Oator's said late Father, died pos-

possessed, or that he was interested in at the time of his death, or of the greatest (or a very considerable) part thereof, or the same is come to the hands, custody, or possession of some other person or persons, by or with his privy, knowledge, or consent; And the said E. B. or some other person or persons on his behalf, have had and received some of the said Debts and Sums of Money that were due and owing to the said Testator at the time of his death, and hath altered the property of others of the said Debts, by taking new Securities for the same in the name of himself, or in the name or names of some other person or persons in trust, to and for his use; And the said E. B. hath possessed himself of divers Bonds, Bills obligatory of Debt, Accounts, Books of Accounts, and other Writings and Papers that that belonged to the said Testator at the time of his Death: And your Orator further sheweth, That your Orator's said late deceased Father J. B. in his life time, viz. about two Months next before his death, finding himself drawing towards his end, and honestly intending to pay and discharge all his just Debts before he died, did deliver unto the said E. B. the Sum of 100 l. or thereabouts in trust that he should therewith pay his the said Testator's said Debts, and to render an Account thereof, and restore

residue the residue of overplus thereof (all his said Debts being satisfied) unto the said Testator; And he the said E. B. did accordingly satisfy (or ought to have paid) therewith all the Debts that your Orator's said late deceased Father J. B. did then justly owe, so that the said Testator was not at the time of his death indebted to any person whatsoever, or if he were, yet it was in some very inconsiderable Sum of Money; But he the said E. B. rendered no Account of the said 100 l. or other Sum, or of any part thereof, unto the said Testator in his life time, nor did he repay to the said Testator the overplus of the same over and besides what was by him disbursed in or towards payment of the said Debts, as by the said Trust reposed in him as aforesaid, he ought to have done: And your Orator further sheweth, That one moiety or equal half part of the said clear personal Estate whereof your Orator's said late deceased Father J. B. was possessed of, and interested in at the time of his death, as aforesaid, amounting to the Sum of 400 l.; thereabouts, and the same being due unto your said Orator by the said Custom of this Honourable City, as your Orator is the only Child that his said late Father had at the time of his death, and was altogether unadvanced by your Orator's said

said late father, by or with the Goods
 or Chattels of his late father, in his
 said late fathers life time; And the
 said Testator having no Wife at the
 time of his death, your said Orator
 hath lately in friendly manner demand-
 ed your Orator's said customary part
 of his said late fathers personal Estate
 of him the said E. B. But so it is, may
 it please your Lordship and Worthships,
 that the said E. B. doth absolutely deny
 to satisfie the same to your Orator, and
 will not discover the said Testators said
 Estate, but concealing the same, hath
 not exhibited any Inventory of the
 Particulars of the same Estate; But
 if he hath exhibited any Inventory
 thereof, the same is a very untrue and
 imperfect Inventory, and many of the
 Particulars therein mentioned are
 therein, and in the Appraisement there-
 of, greatly undervalued; And divers
 Particulars of the said Testators said
 Estate are wholly omitted out of such
 Inventory; And the same Inventory
 is surcharged with divers Debts sup-
 posed to be due by the said Testator at
 the time of his death to several persons,
 whereas in truth the same were in the
 life time of the said Testator paid and
 satisfied by the said Testator himself, or
 by the said E. B. for and on the said Te-
 stators behalf, and by his order, and
 with the proper Moneys of the said Te-
 stator

Nator; as aforesaid; And the said E. B. hath omitted out of the said Invento-
 ry several Debts that were due and ow-
 ing to the said Testator at the time of
 his death; And the said E. B. hath not
 made any Accompt of the said 100 l. or
 other Sum so delivered to him by the
 said Testator, or order, in his life time,
 in trust for discharge of the said Testa-
 tor's Debts; Nor hath he brought the o-
 verplus (or any part) thereof to the E-
 state of the said Testator's: All which
 doings of the said E. B. tend to pour
 O'ratoy's great wrong, and to the de-
 frauding him of his said Customary
 part of his said late father's said perso-
 nal Estate, and are contrary to Equity
 and good Conscience. In tender consi-
 deration of all which premises, and
 soasmuch as your said O'ratoy hath no
 remedy or relief touching the premises,
 at or by the strict Rules of the Common
 Law of this Realm, so that your O-
 ratoy's Witnesses, by whom he should
 prove the Particulars of the said Estate,
 and other the premises to be such as
 they are hereby afove declared, are in
 parts beyond the Seas, and in pla-
 ces far remote from this Honourable
 City, so as your O'ratoy knoweth not
 where readily to find them; But your
 O'ratoy is only relievable in the Pre-
 mises in this Court of Equity, where
 matters of this nature are most proper-
 ly

ly to be examined; And where your
 Oꛛator doth well hope that the said E.
 B. will upon his Oath discover the
 truth of the Premises (being thereun-
 to required) To the intent therefore
 that the said E. B. may set forth a true,
 perfect, and exact Inventoꛛy and Ac-
 count of all and every of the Goods,
 Chattels, Leases, ready Moniey,
 Plate, Household stuff, Debts due by
 Specialties and otherwise, and other
 the said personal Estate whereof the
 said J. B. died possessed, or was any
 ways interested in at the time of his
 death, and the true and particular va-
 lues of the same, and how much the
 said personal Estate doth amount unto;
 And that he may set forth all and every
 the Particulars of the same Estate that
 within two months before the death of
 the said Testator, or at any time since
 hath come to the hands, custody, or pos-
 session of him the said E. B. or of any
 other person or persons, by or with his
 knowledge, priviey, or consent, and of
 whom and where the same are, and the
 particular values of them also, and all
 and every the Debts, Sum and Sums
 of Moniey that he the said E. B. or his or-
 der, hath had or received, that were
 owing or belonging to the said Testator,
 at his death, or to his said Estate since his
 death; And may also set forth, whether
 the said Testator, or order, did not in
 his

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his life time deliver unto him the said E. B. the Sum of 100 l. or some other Sum of Money, and how long before his death, and to what use or purpose; Whether it was not in trust that he the said E. B. should therewith pay and discharge such Sums of Money or Debts, or some of them, that he the said Testator did then owe, and how and to whom he the said E. B. did pay or dispose of the same, or any part thereof in the said Testator's life time, and how much thereof did remain at the death of the said Testator indisposed of; And whether there remained any Debt or Debts due by the said Testator at the time of his death unsatisfied, and may declare the particulars of the same Debts, and the Names, Surnames, and Places of abode of all and every the persons to whom the same were respectively due; And may also declare how much the one Moiety, or one half part of the said Testator's clear personal Estate whereof he died possessed, or was interested any ways in at the time of his death, doth amount unto; And may set forth a particular of all and every the Bonds, Bills, Receipts, Books of Accounts, and other Accounts, Papers, and Writings of and belonging to and concerning the said Testator and his Estate, that hath come to his hands, custody, or knowledge, and the respective

give Contentts of the same; And may answer all and singular other the Premises, and your Orator be therein relieved according to Equity; May it please your Lordship and Worships of your accustomed goodness to cause the said E. B. to be warned &c. to Answer the Premises upon his Corporal Oath; And that he may be enjoined to perform and abide such Order and Decree in and touching the Premises; as to your Lordship and Worships, upon hearing the Cause, shall seem meet.

And your Orator shall
pray, &c.

T H E
Hustings Court.

TH E *Court of Hustings* is a very ancient Court of Record, and is always held in *Guildhall* before the Lord Major and Sheriffs of *London* for the time being, and when any matter is to be argued or tried in this Court, Mr. Recorder sits as Judge with the Lord Major and Sheriffs, and gives Rules and Judgment therein.

This Court is recorded to be held upon *Mondays*, but it is usually held every *Tuesday*; and if *Tuesday* happen to be a Holy-day, then there is no Court held for that reason: But a Court is always held although *Monday* be a Holy-day, except at the particular times hereafter mentioned.

There is Hustings of Pleas of Land, and Hustings of Common Pleas, the Titles of which Courts for this present year, and the times when there is not, nor cannot be any Court held, are as followeth.

Jan.

Courts belonging to London.

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- Jan. 12. *Pl'ita terre tenz' in Hustinga in*
 167¹/₂. *Guibald' London die Lune prox' post*
Festum Epiphanie Dni' Anno Regni
Caroli Scd' &c. Tricesimo primo.
19. *Co'ia Pl'ita tenz' &c. die Lune in*
Festo Sci' Wolfani Epi'.
26. *Pl'ita terre tenz' &c. die Lune*
prox' ante Festum Converte'onis Sci'
Pauli.
- Febr. 2. *Co'ia Pl'ita tenz' &c. die Lune*
prox' post Festum Sci' Agathe Vir-
ginis.
9. *Pl'ita terre tenz' &c. die Lune prox'*
ante Festum Sci' Valentini Epi' &
Martyris.
16. *Co'ia Pl'ita tenz' &c. die Lune*
prox' post Festum Sci' Valentini Epi'
& Martyris.
23. *Pl'ita terre nulla Quia dies Mar-*
tis fuit Festum Carnis privij.
- Mar. 1. *Co'ia Pl'ita tenz' &c. die Lune*
prox' post Festum Sci' Marhei Apo-
stoli
8. *Pl'ita terre tenz' &c. die Lune*
prox' ante Festum Sci' Gregorij Epi'.
15. *Co'ia Pl'ita tenz' &c. die Lune*
prox' post Festum Sci' Gregorij Epi'.
22. *Pl'ita terre tenz' &c. die Lune*
prox' ante Festum Annunciat'onis
Beate Marie Virginis.
29. *Co'ia Pl'ita nulla Quia post Do-*
minicam in Passione.

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- April 5. *Pl'ita terre nulla* Quia post Domi-
 1680. nicam in Ramis Palmar'.
12. *Co'ia Pl'ita nulla* Quia in Hebdo-
 mada Pasche.
19. *Pl'ita terre tem' &c.* die Lune prox'
 ante Festum Sci' Georgij Martyris.
26. *Co'ia Pl'ita tem' &c.* die Lune
 prox' post Festum Sci' Marci Evan-
 geliste.
- May 3. *Pl'ita terre tem' &c.* die Lune
 prox' post Festum Apostolor' Philippi
 & Jacobi.
10. *Co'ia Pl'ita tem' &c.* die Lune
 prox' post Festum Sci' Johannis ante
 Portam Latinam.
17. *Pl'ita terre nulla* Quia Hebdoma-
 da Rogat'onis.
24. *Co'ia Pl'ita tem' &c.* die Lune
 prox' post Festum Sci' Dunstani Ar-
 chiepiscopi.
31. *Pl'ita terre nulla* Quia Hebdoma-
 da Pentecostes.
- June 7. *Co'ia Pl'ita tem' &c.* die Lune
 prox' ante Festum Sci' Barnabe Apo-
 stoli.
14. *Pl'ita terre tem' &c.* die Lune
 prox' post Festum Sci' Barnabe Apo-
 stoli.
21. *Co'ia Pl'ita tem' &c.* die Lune
 prox' ante Festum Sci' Joh'is Bap-
 tiste.
28. *Pl'ita terre nulla* Quia dies Martis
 fuit Festum Apostolor' Petri & Pau-
 li.

Courts belonging to London.

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- July* 5. Co'ia Pl'ita tem' &c. die Lune
prox' post Festum Visita'onis Beate
Marie Virginis.
12. Pl'ita terre tem' &c. die Lune
prox' post Festum Sci' Benedic'ti Ab-
batis.
19. Co'ia Pl'ita tem' &c. die Lune
prox' ante Festum Sancte Margarete
Virginis.
26. Pl'ita terre tem' &c. die Lune prox'
post Festum Sci' Jacobi Apostoli.
- Aug.* 2. Co'ia Pl'ita nulla }
9. Pl'ita terre nulla }
16. Co'ia Pl'ita nulla } Quia null' In-
23. Pl'ita terre nulla } stitutum tenetur à
30. Co'ia Pl'ita nulla } primo die Augu-
sti usque Festum
Sept. 6. Pl'ita terre nulla } Sci' Michaelis
13. Co'ia Pl'ita nulla } Arch' sedm' con-
20. Pl'ita terre nulla } suetud' &c.
27. Co'ia Pl'ita nulla }
- Octob.* 4. Pl'ita terre tem' &c. die Lune
prox' post Festum Sci' Michaelis Arch-
angeli.
11. Co'ia Pl'ita tem' &c. die Lune
prox' ante Festum transla'onis Sci'
Ed'ri Regis & Confessor'.
18. Pl'ita terre tem' &c. die Lune
prox' post Festum transla'onis Sci'
Ed'ri Regis & Confessor'.
25. Co'ia Pl'ita tem' &c. die Lune
prox' ante Festum Apostolor' Simonis
& Jude.

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Nov. 1. *Plūta terre nulla Quia dies Martis fuit Festum omnium Animarū.*

9. *Cōia Plūta tem' &c. die Lune prox' ante Festum Sci' Martini Episcopi.*

15. *Plūta terre tem' &c. die Lune prox' post Festum Sci' Martini Episcopi.*

22. *Cōia Plūta tem' &c. die Lune prox' post Festum Sci' Edmundi Regis.*

29. *Plūta terre nulla Quia dies Martis fuit Festum Sci' Andreæ Apostoli.*

Dec. 6. *Cōia Plūta tem' &c. die Lune prox' post Festum Sci' Andreæ Apostoli.*

13. *Plūta terre tem' &c. die Lune in Festo Sce' Lucie Virginis.*

20. *Cōia Plūta nulla* } *Quia nati' Hilariū tenetur*

27. *Plūta terre nulla* } *post Festum O sapientia & ante Festum Epiphaniæ*

Jan. 3. *Cōia Plūta nulla* } *Domini.*

10. *Plūta terre tem' &c. die Lune prox' post Festum Epiphaniæ Domini.*

In this Court Deeds may be Inrolled, Recoveries may be passed, Wills may be proved, and Replevins, Writs of Error, Writs of Right, Patent, Writs of Waste, Writs of Partition, and Writs of Dower, may be determined for any matters within the City of *London* and the Liberties thereof.

The Attorneys of the Lord Major's Note. Court are Attorneys also in this Court; and the second Attorney is always Clerk of the Inrollments, and Inrolls all Deeds that are brought for that purpose. The method for Inrolling a Deed is thus: First, the Parties that Sealed the Deed must go before the Lord Major, or the Recorder, and one Alderman, and acknowledge it to be their Act and Deed; and if a Wife be a party, she is examined by them, whether it was done by her freely and without compulsion; and then his Lordship and the Alderman set their hands in testimony thereof; for which 4*d.* is paid to each of them, and to the Attorney for the Indorsment 2*s.* Then the Deed must be delivered to the Clerk of the Inrollments, who will at the next Hustings then following, cause Proclamation to be made, If any person can any thing say why the same Deed should not be Inrolled: And then proceeds to Inroll the same.

The

The Fees for Inrollment of a Deed are as followeth.

	<i>s.</i>	<i>d.</i>
To Mr. Recorder	6	8
To the Chamberlain	1	8
To the Town-Clerk	0	10
To the Attorney for every Prefs	6	0
To his Clerk	0	8

A Deed Inrolled in the Hustings is accounted as good as a Fine at Common Law, for that it bars the Wife from claiming her Dower.

When a Will is to be proved in the Hustings, the Witnesses thereto must be sworn at some Court of Hustings; and if their Evidence be full, the Clerk of the Inrollments will enter it upon Record, which is the best way of proving Wills touching Estates in *London*.

The manner of passing a Recovery in this Court is thus: First, a Writ of right Patent must be obtained from the Cursitor for *London*, which must be delivered to one of the Attorneys of this Court, who will thereupon prepare the Record, and procure the Recovery to pass: The Charge whereof is as followeth:

For

	l.	s.	d.
For drawing the Writ	0	1	0
For the Writ of Right	0	5	6
For allowance thereof	0	2	0
For the Attorneys Fee	0	3	4
For the Warrant of Attorney	0	0	4
For the Precept of Summons	0	2	0
For the Return thereof	0	2	8
For the Declaration	0	2	0
For the Tenants Plea	0	2	0
For entering thereof	0	2	0
For the Vouchers Plea	0	2	0
For entering thereof	0	2	0
For the Common Vouchers Plea	0	2	0
For entering thereof	0	2	0
The Record for the Pleadings	0	2	6
The Common Crier	0	1	0
The Common Voucher	0	1	0
The Green-cloth	0	1	0
The four Pleadings	0	13	4
For entering the Judgment	0	2	0
The Attorneys Fee thereupon	0	3	4
The Precept for Seizin	0	2	0
Return thereof	0	2	8
For drawing and ingrossing the Record	0	13	4
For exemplifying it	0	6	8
For the Seal	0	6	8
The Clerk	0	0	8
	<hr/>		
	4	7	0

The Law and Practice of the

It is usual to have a Deed sealed to lead the uses of the Recovery, and to cause such Deed to be Inrolled.

If the Vouchees cannot attend at Court, they may sign a Warrant of Attorney, and acknowledge it before Mr. Recorder, and that will be allowed as good as their personal attendance; which Warrant must be in these words:

J B. & A. iux^a ejus quas B. R. vocat ad
warrantizand^o &c. po. lo. suis W. L. &
T. M. conjunctim & divisim versu L. B. in
p^ote terre &c. viz. de quatuor Messuagiis &
quatuor gardinis cum pertinen^t scituam^o jacent^o
& existen^t in Parochia Sca^o Batolphi extra Ald-
gate in Warda de Portsoken London ad lucranda
& perdenda &c. secundum consuetud^o Civitatis
London.

Primo die Julij Anno &c. capi^o
& cognit^o coram me

G. J. Recordator^o.

J. B.

A. B.

For which Warrant the Fee to	s.	d.
Mr. Recorder is	6	8

When any person would Replevy Goods in London, he must go to the Clerk of the Papers belonging to one of the Compters, and give in the Particulars, and Security to restore

store the Goods or the value, in case upon a Trial it shall appear the same did not belong to him. And then the Clerk will give a Warrant to one of the Sheriffs Officers to cause the Goods to be Appraised, and to deliver them to the Plaintiff.* After the Appraisalment is made, and the Goods delivered the Officer must make return thereof to the Clerk of the Papers, who will immediately thereupon certifie the Record thereof into this Court, where the same must be decided: And if Issue shall be joyned to try in whom the property of the Goods was when the same were taken, a Jury must be summoned to try the Issue: And in order thereunto, Precepts must be issued to the Beadles of the six adjacent Wards, to return the Names of the six substantial Freeholders and Inhabitants in each Ward, which Precepts must be as followeth.

By the Major.

To the Beadle of the
Ward of

THese are to require you, with the advice of your Alderman and Deputy, to return unto me in writing under your Hand the Names and Surnames of six Freeholders, Inhabitants within your Ward, to be of a Jury at
the

the next Hustings of Common Pleas in the Guildhall, London, for trial of an Issue joined between R. G. and W. B. in a Plea of Replevin, and hercol not to fail. Dated the day of 1680.

When the Names are so returned, a Precept must be sent to the Sheriffs, to require them to Summon the Jury to appear at the next Hustings of Common Pleas, to try the Issue. A Writ of Error may be brought in this Court to reverse any Judgment given in the Sheriffs Court. The Writ must be made by the Curfitor for *London*, and directed to the Major and Sheriffs of *London*; and when Sealed, must be delivered to Mr. Town-Clerk to allow the same; and at the same time must enter into Bond with two sufficient Sureties to pay the Debt, or Damages, and Costs recovered; and which shall be assessed in case the Judgment should happen to be affirmed, or in case the Plaintiff in the Writ of Error should not prosecute the Writ of Error with effect: And when Security shall be so given, Mr. Town-Clerk will make a *Superfedeas* directed to the Sheriffs, to stay further proceedings upon the Judgment. And it is usual to move the Court at the next Hustings of Common Pleas, after the allowance of the Writ, that the proceedings in the Sheriffs Court may be certified within fourteen days then following, into this Court, where Errors may be assigned and argued; and if Judgment

ment shall be affirmed, the Plaintiff in the Writ of Error, may bring another Writ of Error before the Judges to examin the former Judgment.

The Condition of a Bond to be given upon allowance of a Writ of Error in this Court.

Condic'o istius Obligac'onis talis est quod cum supra obligat' J. J. deliberavit Rob'to Clayton Mil' Majori Civitatis London & Jonathan' Raymond Mil' & Simon' Lewis Mil' Vicecomitibus ejusdem Civitatis quoddam breve de Error' Corrigend' in Recordis & Processu' Loquale que fuit in Cur' Dni' Regis Civitatis prae' coram Johanne Chapman Mil' nuper uno Vicecom' dilecti Civitatis sine breve dilecti Dni' Regis secundum consuetud' Civitatis prae' inter predictum T. M. & J. J. de deb'to ducentar' librar' quod idem T. M. a presat' J. J. exigit ut dicitur necnon in reddic'one Juditij Loquale prae' coram prae' J. C. Mil. si igitur prae' J. J. prosecutus fuerit cum effectu breve prae' Ac etiam solverit & satisfecerit presat' T. M. debitum damna & expens' sua tam sibi adjudicai' quam imposterum adjudicand' in hac parte Et hoc infra quatuordecim dies prox' post affirmac'o-nem Juditij prae' si contigerit Quod tunc presens obligac'o pro nullo h'eat Alioquin in omni suo robore stet & virtute.

The

The form of a *Superfedeas* is as followeth.

Per Majorem, &c.

Viccom' London.

Quia in recordo & processu ac etiam in redditione Judicii Loquel' que fuit in Cur' Dni' Regis Civitatis prea' coram J. C. Mil' nuper uno Viccom' dicte Civitatis sine breve dicti Dni' Regis secundum consuetud' ejusdem Civitatis inter T. M. & J. J. de quadam transgression' super casum per presat' J. J. illa' ut dicitur Error intervenit manifestus ad grave dampnum ipsius J. J. sicut ex querela sua accepit dictum Dominus Rex & pro eo quod prea' J. J. imposuit coram nobis sufficien' securitat' ad breve prea' prosequenda' cum effectu necnon ad satisfacienda' presat' T. M. damna miss' & costas' tam ipsi adjudicat' quam in posterum adjudicanda' si contigerit Judicium prea' affirmari Vobis igitur precipimus quod quoad executionem Judicii prea' in aliquo facienda' Superfedeatis omnino (dicta breve de Error' penden' indecessus) Et ulterius vobis mandamus quod recorda' & processu' Loquel' prea' cum omnibus ea tangen' coram nobis ad prex' Hustlingum London de Com'ibus PP'itis apud Guibald' Civin' prea' tenenda' h'eat' Ac etiam premiss' partibus prea' quod tunc sint ibidem

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*dem audiat record & processu prelati si &c.
Et h'eat id' tunc hoc preceptu &c.*

When Judgment shall be affirmed in this Court, upon a motion the Court will order the Bond to be delivered up to the Defendant in the Writ of Error, to put the same in suit for his Costs and Damages sustained, by reason of the delay of Execution, who shall not be compelled to cancel or part with the same till he shall be fully satisfied.

If the Plaintiff in the Writ of Error do not certify the Record out of the Sheriffs Court into this Court, according to the time given by the Court, or if he shall not assign Errors, the Court will give Judgment against the Plaintiff, and issue out a Warrant in the nature of a *Procedendo* to the Sheriffs of London, thereby commanding them to proceed to Execution upon the Judgment obtained in that Court.

That the Sheriffs by commandment of Note. the Lord Major are Ministers to execute all Process out of this Court, notwithstanding the Original Writ be directed to the Major and Sheriffs jointly.

I

Writs

Writs of Right are made as followeth in these words.

CAROLUS Secundus Dei gratia Anglⁱ
Scotie Francie & Hibernie Rex Fidei
Defensor &c. Majari & Vicarariis London
salutem. Precipimus vobis quod sine dil^ont ple-
narij villam tenentis R.B. de septem Messuagiis
cum pertinentiis in London que clamat tenere de
nobis per liberum servitium unius denarij per an-
num pro omni servitio que J. B. ei deservit. Ne
simpliciter inde clamore audiamus pro defilla relli
Teste meipso apud Westmonasterium die
Anno Regni nostri Tricesimo secun-
da.

Which Writs have this Process by Co-
rom of the City, viz. the Tenants shall
have three Summons. at three several Hu-
sings, and three Elsoigns. The Summons
are after this manner.

Per Majorem.

Yn London.

PRecipimus vobis quod summon' primo per bo-
nos summonitor' J. B. quod sit hic ad
prox' Hustingum London de p^ortis terre in
Guibald'

Guibald' Civitatis pred' tenend' &c. ad respondendum R. B. in pl'ito terre &c. Et habeatis tunc & ibidem nomina illorum per quos &c. Et hoc preceptum &c. Dat' apud Guibald' Civitatis pred' die Anno &c.

After the Sheriff hath returned all the Summons, three Essoigns are allowed, and after that a View if desired.

The Essoign is recorded after this manner.

Pl'ita terre tent' &c.

AD hunc Hustlingum J. B. assign' est primo versus R. B. in pl'ito terre &c. per Johannem Auncien' & Ric'm Castome secundum consuetud' &c.

Election of Burgesſes and other Officers.

IN this Court the Burgesſes to serve for the City in Parliament must be Elected by the Livery-men of the respective Companies.

Upon every *Michaelmas* day it is the Custom to choose a Lord Major for the Year following; and the usage is to put all those Gentlemen in nomination that are Alder-

men under the Chair, who have held the Office of Sheriff. The Commons must choose two, and return their Names to the Lord Major and Aldermen, who elect which of the two they think most fit to hold the place, and signify their choice to the Commons. And the Person so elected must be presented to the Lord Chancellor, and afterwards must be sworn at *Guildhall* on St. *Simon* and *Jude's* day, and the day after at the *Exchequer*.

Upon *Midsomer* day the Livery-men of the respective Companies do choose Sheriffs: But my Lord Major by his Prerogative may drink to any Citizen, and nominate him to be one of the Sheriffs; and the usage hath been for the Commons to confirm such Person, and to elect another to serve with him. And after the Sheriffs are elected, the Commons choose two Auditors for the Chamber and Bridge-house Accompts, a Chamberlain, two Bridgmasters, and four Ale-Conners.

Note.

That the Sheriffs are Judges of the Elections, and do declare by Mr. Common Sergeant, who are the Persons elected.

After the Sheriffs are so elected, they take an Oath at *Guildhall* upon *Michaelmas-Eve*, and the day after *Michaelmas* day must be presented to the Barons of the *Exchequer*; and when they are sworn, it is not in the power of the Commons to remove them at their pleasure.

The

The Chamberlain and Bridge-Masters, after Election, take the usual Oath before the Lord Major and Court of Aldermen.

THE
C O U R T
O F
Common Council.

THis Court is held in the Chamber of *Guildhall* before the Lord Major, Aldermen, and Common Councellmen of the City of *London*, at such times as the Lord Major shall appoint and direct it, being in his Lordships power to call and dismiss this Court at his pleasure.

Several Committees are Annually appointed and elected by this Court for the better and more speedy dispatch of the Cities Affairs, who make report to this Court of their doings and proceedings, as occasion requires, viz.

1. A Committee of six Aldermen and twelve Commoners for letting and demising the Cities Lands and Tenements, who usually meet every *Wednesday* in the Afternoon at *Guildhall* for that purpose.

2. A Committee of four Aldermen and eight Commoners to let and dispose of the Lands and Tenements given by Sir *Thomas Gresham*, who usually meet at *Mercers-Hall* at such times as the Lord Major for the time being directs and appoints. It being the Custom to elect the Lord Major one of this Committee.

3. This Court doth also Annually elect Commissioners for the Sewers and Pavements.

4. This Court doth also Annually elect a Governour, Deputy-Governour and Assistants, for management of the Cities Lands in *Ulster* in *Ireland*, pursuant to the King's Charter, which is as followeth, viz.

WE will also, and by these presents for us, our Heirs and Successors, do grant, constitute, and ordain, That the aforesaid Society of the Governour and Assistants of London, of the New Plantation in *Ulster*, within the Realm of *Ireland*, for ever hereafter shall be yearly elected and appointed by the Mayor, Aldermen, and Commonalty of the said City of London, at the first Common Council to be holden in the same

same City of London, next after the Feast of the Purification of the blessed Virgin Mary, at which time the Deputy of the Governoꝝ, and twelve of the same persons which have ben Assistants for the Year precedent, shall be removed from their Office, and one other Deputy and twelve other Assistants shall be of new named, supplied, and appointed into the places of the same Deputy and Assistants, so as aforesaid to be removed, for the help of the Governoꝝ and Assistants not removed, for One year next following; And that at the end of that year then next following, such former Assistants which continued in the same Office in that year then proceeding, shall be then likewise removed, and others shall be likewise of new named, supplied, elected, and appointed into their places, and so by an interchangeable course, so that twelve of the same Assistants shall be, and continue in their places, during the term of Two Years.

And further, We will, ordain, and constitute for Us, our Heirs and Successors, That at a Common Council in the aforesaid City of London, next after the Feast of the Purification of the blessed Virgin Mary, next after the date of these Presents, the nomination and election of the aforesaid Governoꝝ, Deputy, and Assistants be, shall

be, and shall be made in form aforesaid, and so from thenceforth yearly from time to time for ever.

A Stranger born may be made Free of this City by Order of this Court, and not otherwise.

The several Places of Common Sergeant, Town-Clerk, and Common Crier are in the Gift of this Court.

The Judges of the Sheriffs Courts have sometimes been elected by this Court, and sometimes by the Court of Aldermen.

After the Death of *John White*, late Clerk of the Court of Requests, commonly called the Court of Conscience, in *London*, this Court did elect and choose Major *Gunfrant* Clerk in his stead; but Mr. *White* was elected by the Court of Aldermen: And always before and since Major *Gunfrant's* Election, the Court of Aldermen have elected the respective Clerks of that Court. And it hath been declared by Counsel Learned in the Law, That the right of electing Clerk of the Court of Requests is not in this Court.

The

THE
COURT
OF
ALDERMEN.

This is a Court of Record, and is held in the inner Chamber of *Guildhall* every *Tuesday* and *Thursday*, except Holy-days, and in the time of Sessions of Goal delivery.

All Matters touching Lights, Water-courses, and Party-walls may be determined in this Court.

The Assize of Bread is constantly appointed by this Court.

All Bonds and Leases that pass under the City Seal must be sealed in this Court.

Several places are in the Gift of the Lord Mayor and this Court, *viz.*

The Recorder.

Sword-Bearer.

Four City Counsel.

City Remembrancer.

Com-

Common Hunt.
 Water-Bailiff.
 Cities Solicitor.
 Comptroler of the Chamber.
 Two Secondaries.
 Four Attorneys of the Lord Majors Court.
 Clerk of the Chamber.
 Hall-Keeper.
 Three Sergeant Carvers.
 Three Sergeants of the Chamber.
 Sergeant of the Chancel.
 Yeomen of the Chamber.
 Four Yeomen of the Water-side.
 Yeoman of the Chancel.
 Under Water-Bailiff.
 Meal-weighers.
 Clerk of the Cities Works.
 Six Young-men.
 Two Clerks of the Papers.
 Eight Attorneys in the Sheriffs Court.
 Eight Clerk-Sitters.
 Two Prothonotaries.
 Clerk of the Bridge-house.
 Clerk of the Court of Requests.
 Beadle of the Court of Requests.
 Thirty six Sergeants at Mace.
 Thirty six Yeomen.
 The Gager.
 The Sealers and Searchers of Leather.
 Keeper of the Green-yard.
 Two Keepers of the Compters.
 Keeper of *Newgate*.
 Keeper of *Ludgate*.
 Measurer.

Steward

Courts belonging to London.

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Steward of *Saundermark*,
Bailiff of *Saundermark*,
Bailiff of the Hundred of *Ossalfen*.

There are other Places in the Gift of the Major, Aldermen, and Sheriffs; as the City Carpenter and other Artificers: But the Rent-gatherer hath been put in by Mr. Chamberlain.

If any Officer shall mis-behave himself in his Office, upon Complaint made thereof to this Court, and Proof of the Fact, such Offender may be, and is usually suspended from the Profits of his Place, during the pleasure of this Court.

The Rulers of the Company of *Watermen* are Annually elected and appointed by this Court, pursuant to an Act of Parliament made in the Second and Third Year of *Philip and Mary*, which is as followeth:

WHEREAS heretofore for lack of good Government and due Order amongst Wherry-men and Water-men, &c. there have divers and many misfortunes and mischances happened and chanced of late years past, to a great number of the King and Queens Subjects, as well to the Nobility, as to other the common People, that have passed and repassed, and been carried by Water, by reason of the rude, ignorant, and unskilful number of Water-men, which for the most part be Waterless men

men and single men of all kinds of Occupations and Faculties, which do work at their own hands, and many Boys being of small Age, and of little Skill, and being Persons out of the Rule and Obedience of any honest Master and Governoꝝ, &c. for reformation whereof, be it Enacted by the King and Queens Majesties, &c. That there shall be yearly appointed, chosen, and elected by the Mayoꝝ and the Court of Aldermen of the City of London for the time being, the number of eight persons of the most wise, discreet, and best sort of Water-men, being Householders, and occupying as Water-men upon the said River, between Gravesend and Windsor; which Election shall be yearly at the first Court of Aldermen to be holden within the said City next after the first day of March; And the same eight Persons so elected shall be named and called, The Overseers and Rulers of all the Wherry-men and Water-men, that from and after the said first day of March, shall use, occupy, or exercise any rowing upon the said River of Thames, betwixt Gravesend and Windsor aforesaid; which said Overseers and Rulers shall keep and maintain good order and obedience amongst the said Water-men, according to the true meaning of this present Act.

And

And also be it further Enacted, That the Lord Mayor of London, and the Aldermen of the same City, and the Justices of Peace within the Shires next adjoining to the said River of Thames, every of them within their several Jurisdiction and Authorities, shall have full Power and Authority by virtue of this present Act, upon Complaint made to them, or any of them, by the said Overseers and Rulers, or two of them, or the Master or Masters of any such Servants, not only to examine, hear, and determine all Complaints or Offences to be done or committed by any such person or persons that shall offend contrary to the true meaning of this present Act, and to set at large all and every such person and persons as shall fortune to be imprisoned by the said Overseers and Rulers, according to this Act, if just cause shall appear unto them so to do, but also by their good discretions and wisdom to punish, correct, and reform the said Overseers and Rulers, and every of them that shall unjustly, or without good cause or ground punish any person or persons by colour of this present Act, or any thing therein contained.

And be it further Enacted by the Authority aforesaid, That if any person or persons, which at any time hereafter shall be elected or chosen to be a Ruler or Overseer, as before is expressed, do happen

pen negligently to use and exercise his
 of their room or place, or that will ob-
 sinately refuse to take upon him or them
 the room or rooms, place or places of a-
 ny the said Overseers or Stewards, that
 then all and every such Offender or Of-
 fenders shall lose and forfeit the sum of
 five pounds of lawful Money of Eng-
 land, the one half wherof shall be to our
 said Sovereign Lord, &c. and the other
 half to him or them that will sue for the
 same, &c.

And be it further Enacted by the Au-
 thority aforesaid, That the said Mayor
 and Court of Aldermen of the said City
 of London for the time being, shall from
 time to time, at their discretions, limit,
 set, and assess the price and prices, and
 sums of Money that every person or per-
 sons so authorized to rowe, as is aforesaid,
 betwixt Gravesend and Windsor a-
 fforesaid, shall take for his or their la-
 bour or fare from place to place, parti-
 cularly betwixt Gravesend and Windsor
 aforesaid, and the same prices and as-
 sessments to be set, shall bring, or cause
 to be brought to the Privy Council of
 our Sovereign Lord, &c. to be viewed
 and seen by some of the said Privy
 Council; and after that the said assess-
 ments and prices shall be signed and
 subscribed with the hands of two of
 the said Privy Council at the least, and
 the said Mayor and Court of Alder-

Courts belonging to London.

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men so: the time being, shall cause the said pices and assessments to be written and set up in Tables in the Gold-hall in the City of London, Westminster-hall, and elsewhere, where the said Mayo: and Court of Aldermen shall thinke convenient: And every person or persons that shall take so: his or their fare or labour above the pices that shall be assessed, viewed, written, and set up in form aforesaid, shall forfeit so: every such Offence forty shillings, and also shall suffer imprisonment for One half year: The one Moiety of the said Forfeiture to be to the King, &c. and the other Moiety thereof to him or them that will sue so: the same in any of the King's Courts of Record, by Action of Debt, or by any other the ways or means above specified, wherein no Wager of Law, Challenge, Protection, or Injunction shall be admitted or allowed so: the Defendant or Defendants.

The

*The Rates signed and agreed upon
by the Privy Council, and the
Lord Major and Court of Alder-
men, to be taken by Water-
men.*

From Lan- don to	$\left\{ \begin{array}{l} \text{Limehouse.} \\ \text{Newcrans.} \\ \text{Shadwell Dock.} \\ \text{Bell-Wharf.} \\ \text{Ratcliff-Cross.} \end{array} \right\}$	Oars. Skulker. 1 s. 6 d.
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From Lan- don to	$\left\{ \begin{array}{l} \text{Wapping Dock.} \\ \text{Wapping New-} \\ \text{stairs.} \\ \text{Wapping Old-} \\ \text{stairs.} \\ \text{The Hermitage} \\ \text{Rotherhith} \\ \text{Church-stairs.} \\ \text{Rotherhith-} \\ \text{stairs.} \end{array} \right\}$	Oars. Skulker. 6 d. 3 d.
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From St. O- liver to	$\left\{ \begin{array}{l} \text{Rotherhith} \\ \text{Church-stairs.} \\ \text{and} \\ \text{Rotherhith-} \\ \text{stairs.} \end{array} \right\}$	Oars. Skulker. 6 d. 3 d.
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From

Courts belonging to London.

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From *Billinggate* to *St. Saviour's Mill*, Oars 6 d.
Skuller 1 d.

From *St. Olaves* to *St. Saviour's Mill*, Oars 6 d.
Skuller 3 d.

All the Stairs between *London Bridge* and
Westminster, Oars 6 d. Skuller 3 d.

From either side $\left\{ \begin{array}{l} \text{Lambeth,} \\ \text{above London} \end{array} \right\}$ Oars. Skuller.
 $\left\{ \begin{array}{l} \text{Foxhall.} \end{array} \right\}$ 1 s. 6 d.

From *White-* $\left\{ \begin{array}{l} \text{Lambeth,} \\ \text{hall to} \end{array} \right\}$ Oars. Skuller.
 $\left\{ \begin{array}{l} \text{Foxhall.} \end{array} \right\}$ 6 d. 3 d.

From $\left\{ \begin{array}{l} \text{Temple} \\ \text{Dorset-stairs} \\ \text{Black-Frier-} \\ \text{stairs} \\ \text{Pauls-wharf} \end{array} \right\}$ to *Lambeth* Oars. Skull.
8 d. 4 d.

Over the Water directly in the next Skuller,
between *London Bridge* and *Lime-house*, or
London Bridge and *Foxhall* 2 d.

From *London* to *Gravesend*, whole Fare 4 s. 6 d.
with Company 9 d.

From *London* to *Graife* or *Greenhive*, whole
Fare 4 s. with Company 8 d.

From *Bendon* to *Purfleet* or *Eriff*, whole Fare
3 s. with Company 6 d.

From *London* to *Woolwich*, whole Fare 2 s. 6 d.
with Company 4 d.

From *London* to *Blackwall*, whole Fare 2 s.
with Company 4 d.

From *London* to *Greenwich*, whole Fare 1 s. 6 d.
with Company 3 d.

K

From

The Law and Practice of the

From *London* to *Depford*, whole Fare 1 s. 6 d.
with Company 3 d.

From *London* to { *Chelfey*
 { *Battersey* } whole Fare 1 s.
 { *Wansworth* } 6 d. with Com-
 pany 3 d.

From *London* to { *Putney*
 { *Fulham* } whole Fare 2 s.
 { *Barn Elms* } with Compa-
 ny 4 d.

From *London* to { *Hametsmith*
 { *Chiswick* } whole Fare
 { *Mortclack* } 2 s. 6 d. with
 Company 6 d.

From *London* to { *Brentford*
 { *Isleworth* } whole Fare 3 s.
 { *Richmond* } 6 d. with Com-
 pany 6 d.

From *London* to *Twickenham*, whole Fare 4 s.
with Company 6 d.

From *London* to *Kingston*, whole Fare 5 s.
with Company 9 d.

From *London* to *Hampton Court*, whole Fare
6 s. with Company 1 s.

From *London* to { *Hampton Town*
 { *Sunbury* } whole Fare
 { *Walton* } 7 s. with
 Comp. 1 s.

From *London* to { *Walton*
 { *Weybridge* } whole Fare 10 s.
 { *Cherisey* } with Compa-
 ny 1 s.

From

Courts belonging to London.

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From *London* to *Stanes*, whole Fare 12 s. with Company 1 s.

From *London* to *Windsor*, whole Fare 14 s. with Company 2 s.

Rates for carrying Goods in the Tilt-Boat between London and Gravesend.

For a half Firkin	1 d.
For a whole Firkin	2 d.
For a Hoghead	2 s.
For a hundred weight of Cheese, Iron, or any heavy Goods	4 d.
For a Sack of Salt or Corn	6 d.
For an ordinary Chest or Trunk	6 d.
For an ordinary Hamper	6 d.
For every single Person in the ordinary Passage	6 d.
For the hire of the whole Tilt-Boat	1 l. 2 s. 6 d.

The Lord Major for the time being may cause any person inhabiting within *London*, or the Liberties, to be summoned to appear before his Lordship upon the Complaint of any Citizen; and for non-appearance, may grant his Warrant to bring such person before him, and hath power to hear and determine differences between party and party.

If any Apprentice or other Person shall be carried on Ship-board, or there detained against his will, my Lord Major may send his Warrant by his Water-Bailiff, and compel the Captain or Commander of the Vessel to release such Person.

The Citizens of *London* are Toll-free throughout *England*; and the Lord Major usually, at the Request of any Citizen that trades in remote parts, grants his Warrant or Certificate to such Citizen, in these words.

TO all Christian People to whom this present Writing shall come, or the same shall see, hear, or read, J. S. Knight, Lord Major of the City of London, sendeth Greeting in our Lord God everlasting; Know ye, that amongst other notable and ancient Liberties, Priviledges, and free Customs by the Charters of the Noble Progenitors of our most dread Sovereign Lord the King that now is, to the Citizens of the said City of London granted; And also by the Authority of divers Parliaments ratified and approved, These Articles and Priviledges under-written in the same Charters be contained; that is to say, That all the Citizens of the said City of London, and all their Goods and Merchandizes, shall be quit and free, in, by, and through all the Power and Dominions

minions of the King our said Sovereign Lord; And that the said Citizens shall and may freely, without impediment of the King's Highness, or of any of his Subjects, carry, convey, utter, sell, and put to sale, their Goods and Merchandizes, as well on this side the Sea as beyond, and by the Ports of the Sea, as well on this side the Sea as beyond; And that the same Citizens, and all their Goods and Merchandizes, shall be quit and free of all manner of toll, passage, lading, pickage, pontage, murage, pylage of Wine, and of all other Customs; And that the same Citizens, at their wills and wheresoever they will, shall and may stay, abide, and remain within any part of the King's Dominions, to utter, buy and sell any manner of Goods, Wares, or Merchandizes frank and free, without any lett, impediment, or restraint of the King's Highness, or of any of his Majesties Subjects, as they alwaies heretofore accordingly have used and accustomed; And if any person or persons within any place of any part of the Dominions of the King's Highness on this side the Sea or beyond, do molest, grieve, lett, or trouble any of the said Citizens, their Attorneys, Factors, Assigns, or Servants in, about, or concerning any the Premises, or take any toll, passage, pickage, lading, por-

tage, murage, pylage of Wines, or any
 like Customs of the said Citizens,
 their Attorneys, Factors, Assigns, or
 Servants, contrary to the said Privi-
 ledges, franchises, Liberties, and free
 Customs, so; and in right of the said
 Citizens, after that they, or any of them
 shall so lack, and default of right in that
 behalf, the Sheriffs of the said City of
 London shall take within the said City
 of London; therefore Distress or Li-
 stress of other person or persons, and
 parties resorting to the said City of
 London, of the Town, Burrough, Place
 or City where the said Citizens of Lon-
 don were so grieved, molested, troubled,
 or vexed, or toll, pylage, lassage, pirage,
 pontage, paunage, murage, pylage of
 Wines, or any other Customs, shall be
 free, had or taken contrary to the said
 Liberties, franchises, Priviledges and
 free Customs aforesaid; Therefore in
 our friendliest manner we pray, require,
 and exhort you, and every of you, in
 eschewing of further troubles and vari-
 ances, that you, nor any of you, me-
 lest or trouble, or cause to be molested or
 troubled, by any means, or in any wise,
 our well-beloved Citizen R. G. Citizen
 and Draper of London, so; his Goods,
 Wares, and Merchandizes, contrary or
 against the tenour or effect of the said
 Freedoms, franchises, Liberties, Cu-
 stoms, and Priviledges aforesaid; and
 if

if ye have troubled or molested, or suffered, or caused to be troubled or molested, or shall at any time or times hereafter trouble or molest our said Citizen, his Servants, Factors, Attorneys, or Assigns, or any of them; Or if you take, or have taken of the same our Citizen, or any of his Attorneys, Factors, or Servants, any thing contrary to the tenour and effect of the Freedoms, Liberties, Franchises, Customs, and Priviledges aforesaid, we pray and require you, and every of you, to discharge, or cause to be discharged, our said Citizen, his Factors, Servants, and Goods, and that restitution or amends be made to him, them, or one of them, as of right it ought to be, so that for default of Justice we be not constrained or compelled to execute, or cause to be executed, the penalties and pains in the said Charters and Grants contained, In witness, &c.

The Lord Major of *London* may grant his Warrant to Distrein the Goods of Foreigners, who shall refuse to pay the Duties of Balliage for Wares and Merchandizes brought to the City of *London* by Water westward. The Form of which Warrant is in these words.

Lond^r II. **T**O all Christian People to whom these presents shall come, or the same shall see, hear, or read, Sir T.D. Knight, Lord Mayor of the City of London, sendeth Greeting; Whereas the Duties for Tolls and Balliage, due and payable for Goods and Merchandizes, brought to this City and Liberties thereof, and carried and conveyed from the same, as well by Water as by Land, by Strangers and Foreigners, from the Liberties of the same City, and other persons not lawfully discharged from payment thereof, time out of mind have appertained, and still do appertain to the Mayor, Commonalty, and Citizens of the said City, and time out of mind have been accustomed to be demanded, gathered, and levied by certain Officers and Ministers thereunto appointed and authorized, who have answered, and still do answer several Rents for the same towards the fee-farm of three hundred pounds yearly paid into the Court of Exchequer, which Duties of Toll and Balliage, are by the Franchises of the said City confirmed by Parliament to the said Mayor, Commonalty, and Citizens of London, which time out of mind they have enjoyed and ought to enjoy. And whereas I am informed that the said Duties are many times wrongfully detained, to the pre-
 dice

vice of the Franchises and Liberties of this City, These are therefore to require all Barge-Masters, Hop-Masters, Watermen, and all Masters of Vessels whatsoever, that bring or carry Goods to or from this City from London-Bridge westward, at all time and times whatsoever, to give a particular account of the said Goods in their Vessels, and the several persons they belong unto to T. C. who is deputed and appointed under the Common Seal of the said Mayor, Commonalty, and Citizens, to collect, levy, and receive the said Duties for all Goods, Wares, and Merchandizes whatsoever coming in, or passing forth by water from London-Bridge westward, to or from the said City or Liberties thereof; And these are further to authorize the said T. C. to raise, levy, and receive the said Duties, And upon denial of payment thereof, or any part thereof, to Distrein on the Goods and Chattels of the person or persons so offending or denying, as well by Water as by Land, within the Liberties of the said City, and for refusal to make sale thereof immediately, and return the overplus according to Law; And for want of such Distress from time to time, and at all times, as often as occasion shall require, to bring before me, or some other of His Majesties Justices of the Peace within this City and Liberties, the
person

person or persons so offending, refusing or neglecting payment, resisting or breaking the Peace; And these are in his Majesties Name straitly to charge and command all Constables, Wharfingers, and Meters of Sea-coals, Corn, and Salt, and all other Officers and Ministers whatsoever within this City and Liberties, that they from time to time, as often as occasion requireth, be aiding and assisting to the said T. C. And that they from time to time do their best endeavours to see the said Duty paid, and his Majesties Peace kept in the due execution of the Premises; And that they, or some of them, bring before me or some other of his Majesties Justices of the Peace within this City and Liberties, all and every such person and persons as shall break, or at least disturb the Peace, or use any violence or opposition in the lawful and due execution of the Premises, or that shall refuse to pay the Duties aforesaid, or any part thereof; And hereof I require the said Constables, and all other Officers and Ministers, or any other person or persons, being thereunto required not to fail, as they and every of them will answer the contrary at their perils, &c.

His Lordship may also grant a Warrant against Hawkers with flesh-meat: The Form whereof is as followeth.

London ff. **W**hereas I am informed that divers Butchers, and other persons, having often times heretofore in Lanes, Alleys, Inns, Warehouses, Streets, Stalls, Passages, and other places within this City and Liberties thereof, offered, and there put to sale, by way of Hawking in secret manner, Beef, Veal, Pork, Mutton, Lamb, and other flesh, refusing to bring the same to be sold in any Butchers Shop or Markets of this City; which flesh so offered to be sold, hath oftentimes been corrupt, rotten, and unwholsome: And such practices are contrary to ancient Customs of this City, and in particular contrary to the late Act of Common Council made in the Majesty of Sir George Waterman Kt. late Lord Mayor of this City, whereby it is provided that the flesh so offered to be put to sale shall be forfeited and disposed of to such Prisons of this City as the Lord Mayor for the time being shall direct and appoint: Now it being found by Experience that such secret Offenders shun and escape all search and due punishment, and the Markets of this City are thereby neglected and decayed; And such secret sales of flesh are also found

found to be a means of encouraging many thievish, idle, and ill-disposed persons, to steal Cattle in the Country and parts adjacent to this City, to the great deceit and damage of his Majesties Subjects, and scandal of the Government of this City; For the prevention whereof so; the future, These are in his Majesties Name straitly to charge and command you forthwith, on sight hereof, to be from time to time Aiding and Assisting unto the Dealer or Dealers hereof, and every of them, who shall from time to time give you notice of such Offenders; And you are hereby required to apprehend and bring before me, or some other of his Majesties Justices of the Peace, the body or bodies of all such Offenders as shall hereafter be found to sell, or offer to be put to sale in such manner, any Beef, Pork, Mutton, Lamb, or Veal, by way of Hawking, in any Inn, Lane, Ware-house, or other obscure place or open Street within this City or Liberties thereof, to be examined and dealt withal as to Law and Justice shall appertain; And also that you seize such flesh so offered to be put to sale by way of Hawking in such manner, and bring it before me, or some other of his Majesties Justices of the Peace, to the end that it may be disposed of as by the said Act is limited and appointed;
And

Courts belonging to London.

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**And hererof sail not. Given under my
Hand and Seal, &c.**

To all and every the Constables
within the City of *London*
and Liberties thereof.

This Warrant is usually granted pursuant
to an Act of Common Council, Intituled,
*An Act for the settlement and well-ordering of
several publick Markets within the City of Lon-*
don. Which Act is in these words:

FO: the better Order and Regulation
to be had of the Market at Leaden-
hall, and the Greenyards there, with the
other Market Grounds thereunto be-
longing; and of the Market at Wool-
church, and the Market of Honey-lane, o:
Milk-street, as also the Market near
Newgate, and all other Common Mar-
kets already settled and appointed, o:
which hereafter shall be settled and ap-
pointed within the City of London: Be
it Enacted by the Right Honourable the
Lord Mayor, and the Aldermen his Bre-
thren, and the Commons in this Com-
mon Council Assembled, and by the Au-
thority of the same, That the Rules,
Orders, and Directions hereafter pre-
scribed, be duly observed by all persons
that are o: may be concerned there-
in.

And

And first, whereas by former Acts of Common Council, the sale of Beef hath been restrained and appointed to be only in Leaden-hall, and the Greenyards there; which is now observed, would be very inconvenient to the Inhabitants of this City, in regard the late Butchery of the Stocks, and St. Nicholas Shambles (which heretofore furnished with Beef and other flesh Victuals, those parts of the City) are now removed and otherwise disposed of: Be it Enacted by the Authority aforesaid, That all and every Butcher and Butchers, Poulterer and Poulterers (other then such as are hereafter excepted) Country Farmer, Victualler, Tader, or Kidder, who keepeth no Butchers, or Poulterers Shop, or Shops within the City of London, or Liberties thereof, or within two Miles distance of the Liberties of the same City, may from and after the publication of this Act, take to Farm, or hire Standings, Stalls, or Places, in any the aforesaid respective Markets; and there sell, utter, and put to open shew, or sale, his or their Beef, Mutton, Veal, Lamb, Pork, and other Butchery or Poultry Wares, or other Provisions, upon the four days of the week, in manner as is hereafter expressed (viz.) upon Mondays, Wednesdays, and Fridays with-
 in, between the feast of the Annunciation, and the feast of St. Michael, from
 six

six of the Clock in the forenoon, until eight of the Clock in the Evening of the same day; and between the feast of St. Michael, and the Annuntiation, from eight of the Clock before Noon, until five of the Clock in the Evening of the same day; and upon every Saturday in the Week all the Year long, from the aforesaid respective hours of six and eight of the Clock before Noon, until eight of the Clock in the Evening of the same day, for so long time only as he or they shall furnish the said Stalls, Standings, and Places with whollom flesh and other Provisions in his or their own right, and not as Servant or Servants, or otherwise, in behalf of any others; any thing in any former Act of Common Council contained to the contrary thereof in any wise notwithstanding.

Provided always, That no Butcher, or Poulterer whatsoever, who keepeth no Shop or Shops within the City of London, or Liberties thereof, or within two Miles distance of the same City, shall in the said respective Markets, sell, utter, or put to open shew or sale, his or their Butcher or Poultry Wares upon Mondays and Fridays weekly, upon pain that every such Butcher or Poulterer shall for every time he or they shall sell, utter, or put to open shew or sale in the said Markets his or their Butcher,

or

of Poultry Wares, upon Monday or Friday in any week, forfeit the sum of ten shillings.

And to the end the respective hours aforesaid may the better be observed in the said Markets, It is further Enacted by the Authority aforesaid, that a Market Bell in all the several Markets within the City of London, shall Ring twice every day, (that is to say) the first Ringing from the twenty fifth of March, yearly, until the twenty ninth day of September, at seven of the Clock before Noon, except upon Monday, and then the first Ringing shall not begin till eight of the Clock in the Forenoon: And from the twenty ninth day of September yearly, until the twenty fifth day of March, at eight of the Clock before Noon, and not before, except upon Monday, and then the first Ringing shall not begin till nine of the Clock before Noon; and that the second Ringing of the Market Bell for raising of the said Markets shall begin to Ring from and after the twenty fifth of March, yearly, until the twenty ninth day of September (except on Saturdays) half an hour after four in the Afternoon, and to continue Ringing till five of the Clock, and from and after the twenty ninth day of September, until the twenty fifth day of March yearly, (except on Saturdays) to begin to Ring half an hour after three of the Clock, and

very such Offence. And if any Butcher, Poulterer, Country Farmer, Lader, Kidder, or other person whatsoever, shall sell, utter, or put to open sale in the said Markets, any manner of flesh-meat upon any other day or days then is before hereby limited and expressed, such Butcher, Poulterer, Country Farmer, Lader, Kidder, or other person shall for every such Offence forfeit the sum of twenty Shillings.

Provided always, That no Butcher, Poulterer, Country Farmer, Lader, Kidder, or other person whatsoever, shall upon the Saturday in any week bring into any of the said Markets, any manner of flesh-meat, after six of the Clock in the Afternoon, between the twenty fifth of March, and the twenty ninth of September, yearly; nor after four of the Clock in the Afternoon, between the twenty ninth of September, and the twenty fifth of March, upon pain of forfeiting the sum of ten Shillings for every time any such person shall bring into any of the said Markets any manner of flesh-meats, after the said respective hours.

And further be it Enacted by the Authority aforesaid, That no Stall, Standing, or Place within any of the said Markets, shall from and after the publication of this Act, be letten or allotted to any Butcher or Poulterer, who doth

or shall keep any Butchers or Poulterers Shop within the City of London, or Liberties thereof, or within two miles distance of the Liberties of the said City, so long time as he or they shall keep any Butchers, or Poulterers Shop within the limits aforesaid.

And further, That no Butcher, Poulterer, or other person whatsoever, shall have and enjoy more then two Stalls, Standings, or Places within any one of the Markets aforesaid, at one time.

Provided always, That the Country people and others resorting to the said Markets, being not Butchers, nor Poulterers, nor selling any manner of Flesh meat, or Poultry, may stand, or sit and vend their Herbs, Fruit, Eggs, Butter, and other such like Provisions, and Commodities in the Markets, upon every working day in the week, between the feast of the Annuntiation, and the feast of St. Michael the Arch-Angel, from seven of the Clock in the Morning, until five of the Clock in the Evening of the same day: And upon every working day between the feast of St. Michael and the Annuntiation, from six of the Clock in the Morning, until four of the Clock in the Evening of the same day, so as the same persons that bring them first to Market do continue the selling there-

of, and do observe the ringing of the Market Bell for keeping the said hours accordingly.

And it is also further Enacted, (in regard that the Market is most principally intended for the benefit of Houle-keepers, who buy for their own use and behoof) That the Retailers and Traders of this City, who buy to sell again, shall not enter into any of the aforesaid Markets, to make their Provisions, and buy of any of the Market people there, to carry the same to their several Houses and Shops, until the Afternoon of every day, to the end that Houle-keepers may provide themselves in the morning of every day at the first hand, and pay moderate Rates for their Provisions; upon pain that every such Retailer, or Retailers, or Traders, shall for every time Offending herein, forfeit forty Shillings.

And soasmuch as all dead flesh-meat and other Victuals, and provisions of all sorts of Fruits, Herbs, Fish, and the like, ought to be sold in open and common Markets, allowed and appointed, and not under private Stalls, or at Tavern doors, or in any Street or Common passages, or in any private places, or carried up and down, and sold by way of Hawking; by means whereof, much unwholesome Provisions, dangerous to the Health and Bodies of

of his Majesties Subjects, may be uttered and sold: Be it Enacted by the Authority aforesaid, That no Butcher, Poulterer, Country Farmer, Tader, Kidder, Victualler, Gardener, Fruiterer, fish-seller, or other person or persons whatsoever, shall from and after the publication of this Act, sell, utter, or put to shew or sale, by way of Hawking, or as a Hawker, or in any otherwise, any Beef, Mutton, Lamb, Veal, Pork, Poultry, Butter, Cheese, fish, fruit, Herbs, or other Victuals, or provision whatsoever, in any private House, Lane, Alley, Inn, Warehouse, Street-stall, or Common passage, or other place or places whatsoever, within the City of London, or Liberties thereof, but only in his or their open Shop, or Shops, or in the publick Market place, or places, and in Market time only, according as is before appointed, upon pain that every such person so carrying, or offering to put to sale, by way of Hawking, or in any otherwise, any flesh-meat, Poultry, or other Victuals whatsoever, as aforesaid, in any private House, Lane, Alley, Inn, Warehouse, Street-stall, or Common passage, or other places whatsoever, being not his, or their open Shop, or Shops, or the common Market place, shall forfeit the same Goods so offered to sale, without any manner of labour, according to the

ancient Custom of the City of London, used and approved; and the same so forfeited, shall be disposed of to such persons within this City of London, as the Lord Mayor for the time being shall direct and appoint.

And to the intent that Forfeitting, Regrating, and Ingrossing of Victuals, and other Commodities, may be the better prevented, and the Laws made against the same more effectually observed, It is Declared and Enacted by the Authority aforesaid, That no person, or persons, from and after the publication of this Act, shall buy, or cause to be bought, any Victuals, or other things whatsoever, within the said City of London, or Liberties thereof, coming to any the Common Markets of this City, or make any Bargain, Contract, or Promise, for the having and buying of the same, or any part thereof, so coming as aforesaid, before the same shall be brought into one of the said Markets, ready to be there sold: And also, That no person, or persons that shall by any means Regrate, Obtain, or Get into his or their Hands, or Possession, in any the said Markets, any Victuals or other things whatsoever, that shall be thither brought to be sold, shall from henceforth sell the same again in their Shop, or Shops, or any of the Markets, or other places within this City and Liberties

ties thereof, or shall ingross or get into his or their hands, by buying, contracting, or otherwise, any of the things aforesaid, in the said Markets, with intent to sell the same again, in the same, or any other Markets, or places within this City, and Liberties thereof, upon pain that every such Fore-staller, Regrater, and Ingrosser, shall for every such Offence, forfeit forty Shillings.

And whereas, for Accommodation of Market people, with Stalls, Boards, Shelter, and all other like things necessary for their standing in any of the Market places within this City of London, and cleansing and keeping clean the same; and otherwise for defraying the incident Charges of Repairing and maintaining the same Market, and to Gratifie and Reward the Care and Attendance of such persons as shall be employed therein, there hath always been given and paid certain reasonable Rates for the said Accommodations and Charges: And to the intent that the said Rates may be ascertained and made publick to all Market people, whereby the persons that shall from henceforth, by Order of the Committee for Letting of the City Lands, with Approbation of this Court, be employed therein, as Collectors or Receivers of the same Rates, may be prevented from Demanding, or Extorting more then is al-

loved, as is herein after expessed: Be
 it Enacted by the Authority aforesaid,
 That all and every person and persons,
 resorting to any of the said Markets, to
 sell and vend their Commodities, shall
 from henceforth pay unto such person or
 persons, as from time to time shall be
 thereunto appointed, as aforesaid, to
 take and receive the Profits of all, or any
 of the said Markets, to the use of
 the Mayor, Commonalty, and Citizens
 of the City of London, of, and from all
 Market people thereunto resorting, for
 their Stalls, Standings, and other Accommodations,
 in the several Market places aforesaid, after the Rates following
 (that is to say) for every Stall or
 Standing of the length of eight foot, and
 breadth of four foot, used or imploied for
 sale of flesh-meat, or fish, for every day
 eight pence, or two shillings six pence
 per week; and for every such Stall or
 Standing, used or imploied for sale of
 any other Commodities, for every day
 four pence, or eighteen pence per week;
 and for every Stall or Standing of the
 length of six foot, and breadth of four
 foot, used or imploied for the sale of
 flesh-meat, or fish, six pence for every
 day, or two shillings per week; and for
 every such Stall or Standing used for
 other Provisions or Commodities, for
 every day three pence, or sixteen pence
 per week; and for every Standing for
 Canned

Canned Leather, six pence per day; and
so; every raw Hide, an half penny; and
so; every Horse Load of any Provi-
sions or Commodities not upon Stalls,
three pence; and so; every Cart-load of
such Commodities, six pence.

Provided that all Gardeners and
Country people, and others resorting
to the said Markets, early in the morn-
ing, to sell Herbs, Fruit, and other like
Commodities, and there continue so; no
long space, quitting the Markets at
eight or nine of the Clock in the morn-
ing, shall pay so; the Larger Places
or Standings, only three pence, so; e-
very time they resort thither; and so;
the Lesser Places or Standings, only
two pence.

And that the said Collectors or Recei-
vers shall not Demand or Require of the
Market people more then according to
the aforesaid Rates, without the free
Consent and Agreement of the said
Market people, so; some extraordinary
Convenience or Accommodation, unless
in Leaden-hall Market, where other and
larger Rates have been anciently payed
so; Stalls or Standings therein, and
that no person or persons Inhabiting
in or near to any the said Market
places, or other person or persons what-
soever, upon pretence of any right what-
soever, other then the Receivers or Col-
lectors of the said Rates and Duties
shall

shall from henceforth provide any Stalls
or other Accommodations in any of the
aforesaid Market places; or directly,
or indirectly take, require, or exact any
sum, or sums of money, or other re-
ward of the Market people, for any
Stalls, Standings, or Accommodati-
on of their place and Nation in the said
Markets; upon pain that every person
offending herein shall forfeit and lose, for
every time so doing and offending, twen-
ty Shillings.

And for the better Order and Quiet
of the Market people, and the reconcil-
ing all Differences that may arise
therein, betwixt them and the Collectors,
or Receivers in the aforesaid Markets;
as also that the Rates and Duties may
be the better collected, and certainly paid
into the Chamber of London, without
fraud, and the said Markets more ef-
fectually supervised; for prevention of
Abuses and Disorders that may arise
therein, Be it enacted, That the Com-
mittee for Letting the City Lands for
the time being, shall and are hereby
Authorized from time to time, by and
with the Approbation of this Court, to
appoint fitting persons for Overseers of
the said respective Markets, and Col-
lectors, or Receivers of the Profits, or
Duties arising, or growing out of the
same; and to Treat and Agree with the
said persons, and allow them for their
care

care and pains, such part or portion of the said profits, as in their discretions shall be found requisite: Provided the said Allowance exceed not the tenth part of the whole clear profits (all necessary Charges being deducted) upon condition that the said Overseers and Collectors, or Receivers, that shall from time to time be thereunto appointed, by order as aforesaid, do give sufficient Security to the satisfaction of the said Committee, for their diligence and faithful performance in their Office, and overseeing the Orders and Provisions aforesaid, observed, and giving a just and true account of their Receipts and Payments of the moneys every week into the Chamber; and that the said Committee do once in every week meet together at the Guildhall, and then and there audite the Accounts and Payments of the said Overseers and Collectors, or Receivers, for prevention of any abuses that by neglect thereof might arise or happen; and also endeavour, upon any Complaints and Grievances of the Market people, against the said Overseers, and Collectors, or Receivers, or otherwise, to compose and redress the same as soon as possibly they can; that so all disturbances to the Market people, and unnecessary Suits at Law may be avoided: And that the said Overseers and Receivers, or Collectors shall
etc.

frequently attend, and be in the said Markets, during Market time, and diligently oversee the same; to prevent with their best care, any abuses or disorders that may happen, or be committed therein; and also to take care that the provisions and penalties appointed by this Act against all Offenders, contrary to the same, be duly and constantly put in Execution: And if any of the said Overseers, and Collectors, or Receivers shall be remiss, or corrupt herein, then they shall be forthwith displaced, and disabled of any Office, or place touching the said Markets.

And be it further Enacted, That in case the aforesaid Committee for Letting the City Lands, shall at any time hereafter find it most fitting, and advantageous for the benefit of the Chamber, to let the said Markets, or any of them to farm; that then the Committee aforesaid, for the time being, shall and may treat with any person, or persons, for Letting the same to farm, upon the best terms they can, and report their proceedings unto this Court for their Approbation therein.

All which pains, forfeitures, and penalties, sum and sums of money to be forfeited, by virtue of this Act, shall be recovered by Action of Debt, Bill, or Plaint to be commenced and prosecuted in the Name of the Chamberlain of the City

City of London, for the time being, in the Court holden before the Mayor, & Aldermen in the Chamber of the Guildhall of the City of London; and that the Chamberlain of the said City for the time being in all Suits to be prosecuted by virtue of this Act, against any Offender, or Offenders, contrary to the same, shall recover the ordinary Costs of Suit to be expended in and about the prosecution thereof; and if the Suit pass for the Defendant, then the said Defendant to recover his Costs; and that the Chamberlain for the time being shall not have power to take less of any Offender then herein is limited to be forfeited for every Offence.

And further, That one moiety of all forfeitures to be recovered by virtue hereof (the Costs of the Suit for Recovery of the same being deducted) shall after Recovery, and the Receipt thereof, at or before the twenty fifth day of March yearly, be paid and delivered unto the Treasurer of Christ's Hospital, to be employed towards the Relief of the poor Children, to be brought up and maintained in that Hospital; and the other moiety to him or them which shall first give Information of the Offences, for which the forfeitures shall grow; and prosecute Suit in the Name of the Chamberlain of the said City, for recovery of the same, anything in this Act

The Use and Practice of the
to the contrary notwithstanding.

And whereas the Serjeant, and
Yeoman of the Channel, and Yeoman
of Newgate Market, and Foreign-taker,
while the common Markets were kept
in Leadenhall-street, Cheap-side, and New-
gate-street, did take care for sweeping
and making clean the said Streets
where the Market people resorted, and
paid for carrying away the Soil there-
of; as also for furnishing the Market
people with Boards, and other Ac-
commodations. In consideration where-
of, they received some certain Allow-
ance by consent of the Market people for
their care and pains therein. Now
soasmuch as the said Markets are re-
moved out of the Streets, and made
Commobious, at the publick Charge of
the City, and that the Revenue thereof
ought to be improved for the benefit of
the Chamber: Be it Enacted, That the
several Officers aforesmentioned, shall
from henceforth be wholly discharged
from the Charge of Cleansing and
Carrying away the Soil of the said
Markets, and providing Boards and
other Accommodations for the Market
people, and likewise from any ways in-
termedling with the Receipt of any Du-
ties, Fees, or Profits, or taking any
Monney of any persons resorting to, or
standing in any of the Common Mar-
kets aforesaid, upon any pretence what-
soever;

soever; but that instead thereof the Serjeant and Yeoman of the Chancel, for the time being, shall, during their Continuance in the said places, each of them have and receive out of the Chamber of London, the sum of three pounds weekly; and Richard Robinson the present Foreign-taker, and Yeoman of Newgate-Market, the sum of three pounds every week, during the term of his natural Life: All which sums respectively, and none other, shall be paid by the Chamberlain out of the Profits arising by the Markets, to the persons aforesaid, in full satisfaction of all their Right, Title, Claim, and Demand whatsoever, to any part or share of the Profits to be collected of the Market people.

Wagstaffe.

BY an Act of Parliament made in the 22th and 23th Year of King Charles the Second, it is ordained and enacted, That the Annual certain Tithes of all and every Parish and Parishes within the City of London, and Liberties thereof, whose Churches have been demolished by the dreadful Fire; And which said Parishes, by virtue of an Act, 22 Car. 2. cap. 11. Intituled, An Additional Act for Rebuilding of the City of London, U-
niting

ning of Parishes, &c. remain and continue single, as heretofore they were, or are by the said Act annexed or united into one Parish respectively, shall be as followeth.

The Parish of Alhallows Lombardstreet ;
One hundred and ten pounds.

St. Bartholomew Exchange ; One hundred pounds.

St. Bridget, alias Brides ; One hundred and twenty pounds.

St. Bennet Finck ; One hundred pounds.

St. Michael Crooked-lane ; One hundred pounds.

St. Christopher ; One hundred and twenty pounds.

St. Dionys Backchurch ; One hundred and twenty pounds.

St. Dunstan in the East ; Two hundred pounds.

St. James Garlickhith ; One hundred pounds.

St. Michael Cornhill ; One hundred and forty pounds.

St. Michael Bassishaw ; One hundred thirty and two pounds eleven shillings.

St. Margaret Lothbury ; One hundred pounds.

St. Mary Aldermanbury ; One hundred and fifty pounds.

St. Martin Ludgate ; One hundred and sixty pounds.

St. Peter Cornhill ; One hundred and ten pounds.

St.

St. Stephen Coleman-street; One hundred and ten pounds.

St. Sepulchre; Two hundred pounds.

St. Alhallows Breadstreet, and St. John Evangelist; One hundred and fifty pounds.

Alhallows the Great, and Alhallows the Less; Two hundred pounds.

St. Alban Woodstreet, and St. Olaves Silverstreet; One hundred and seven p pounds.

St. Anne and Agnes, and St. John Zachary; One hundred and forty pounds.

St. Augustine and St. Faith; One hundred seventy and two pounds.

St. Andrew Wardrobe and St. Anne Black-Friers; One hundred and forty pounds.

St. Antholin and St. John Baptist; One hundred and twenty pounds.

St. Bennet Gracechurch, and St. Leopard Eastcheap; One hundred and forty pounds.

St. Bennet Pauls-wharf, and St. Peters Pauls-wharf; One hundred pounds.

Christ Church and St. Leonard Foster-lane; Two hundred pounds.

St. Edmond the King, and St. Nicholas Acons; One hundred and eighty pounds.

St. George Botolph-lane, and St. Botolph Billingsgate; One hundred and eighty pounds.

St. Lawrence Jury, and St. Magdalen Milkstreet; One hundred and twenty pounds.

The Law and Practice of the

St. Magnus and St. Margaret New-Fish-street; One hundred and seventy pounds.

St. Michael Royal and St. Martin Vintry; One hundred and forty pounds.

St. Matthew Friday-street, and St. Peter Cheap; One hundred and fifty pounds.

St. Margaret Pattons and St. Gabriel Fenchurch; One hundred and twenty pounds.

St. Mary at Hill, and St. Andrew Hubbard; Two hundred pounds.

St. Mary Woolnoth and St. Mary Woolchurch; One hundred and sixty pounds.

St. Clement Eastcheap and St. Martin Orgars; One hundred and forty pounds.

St. Mary Abchurch and St. Lawrence Pountney; One hundred and twenty pounds.

St. Mary Aldermary and St. Thomas Apostles; One hundred and fifty pounds.

St. Mary le Bow, St. Pancras Soperlane, and Alhallows Honylane; Two hundred pounds.

St. Mildred Poultry and St. Mary Colechurch; One hundred and seventy pounds.

St. Michael Woodstreet and St. Mary Staining; One hundred pounds.

St. Mildred Breadstreet and St. Margaret Moses; One hundred and thirty pounds.

St.

St. Michael Queenhith and Trinity ; One hundred and sixty pounds.

St. Magdalen Old-Fishstreet and St. Gregory ; One hundred and twenty pounds.

St. Mary Somerset and St. Mary Mountthaw ; One hundred and ten pounds.

St. Nicholas Coleabby and St. Nicholas ; One hundred and thirty pounds.

St. Olave Jury and St. Martin Ironmongerlane ; One hundred and twenty pounds.

St. Stephen Walbrook and St. Bennet Shcerhogg ; One hundred pounds.

St. Swithin and St. Mary Bothaw ; One hundred and forty pounds.

St. Vedast, alias Fosters, and St. Michael Quern ; One hundred and sixty pounds.

Which respective sums of money to be paid in lieu of Tithe within the said respective Parishes, and assessed, &c. shall be, and continue to be esteemed, deemed, and taken to all intents and purposes, to be the respective certain Annual maintenance (over and above Glebes and Perquisites, Gifts and Bequests to the respective Parson, Vicar, and Curate of any Parish for the time being, or to his or their respective Successors, or to other persons for his or their use) of the said respective Parsons, Vicars, and Curates, who shall be legally In-

The Law and Practice of the
 Instituted, Inducted, and Admitted into
 the respective Parishes aforesaid.

In which Act there is a Provision in these words :

Provided always, and be it Enacted,
 That where any of the Parishes within
 the said City, have since the late Fire,
 by death or otherwise, become vacant,
 the surviving or remaining Incumbent
 of the other Parish thereto united, or
 therewith consolidated, shall have and
 enjoy, and have like remedy to recover
 the Tithes hereby settled to be paid, as
 if he had been actually Presented, Ad-
 mitted, Instituted, and Inducted into
 both the said Parishes, since the Union
 and Consolidation thereof.

And be it Enacted, &c. That the Al-
 dermen of such respective Ward or
 Wards within the said City, wherein
 any of the said Parishes lye, and his or
 their Deputy or Deputies, and the Com-
 mon Council-men of such respective
 Parish wherein the maintenance aforesaid
 is respectivelv to be Assessed, to be
 nominated by such respective Aldermen,
 Deputy, Common Council-men, and
 Church wardens, or any five of them,
 whereof the Alderman or his Deputy
 to be one, shall at some convenient and
 seasonable time before the 20th day of
 May, 1671. assemble, &c. and then, or
 the major part of them so assembled,
 shall proportionably assess upon all
 Houses,

Houses, Shops, Warehouses, and Cellars, Wharfs, Keps, Cranes, Waterhouses, and Cotts of ground remaining unbuild, and all other Hereditaments whatsoever (except Parsonage and Vicarage Houses) the whole respective sum by this Act appointed, or so much of it as is more then what each Improprator is by this Act enjoyned respectively to allow, in the most equal way that the said Assessors, according to the best of their Judgments, can make it; which said Assessments shall be made and finished before the 24th of July then next.

And be it further Enacted, &c. That if any variance or doubt happen to arise about any sum so assessed as aforesaid, or that any Parishioner or Parishioners, or Owner or Owners of any House, Shop, Warehouse or Cellar, Wharf, Kep, Crane, Waterhouse, or other Hereditament within any of the said Parishes, shall find himself or themselves aggrieved by the assessing of any sum or sums of money in manner and form aforesaid, that then upon complaint by the party or parties aggrieved to the Lord Mayor and Court of Aldermen of the said City, within fourteen days after notice given to the party or parties assessed of such Assessment made, the said Lord Mayor and Court of Aldermen, summoning as well the party or

29 3

parties

parties aggrieved, and the Aldermen and such others as made the said Assessment, shall hear and determine the same in a summary way, and the Judgment by them given shall be final, and without Appeal.

Provided always, and be it enacted, That any Assessment or Rate to be made by virtue of this Act, shall or may in all or any the Parishes aforesaid, in like manner be received or altered, or laid again within three months after the 24th day of June, 1674. according to the aforesaid Rules, and any such Assessment or Rate shall or may be again received or re-assessed within three months after the 24th day of June, 1681. And that all and every such new Assessment and Rate shall be liable to the like Appeals as aforesaid, and shall be collected, levied, and paid as any other Assessment or Rate mentioned in this Act, may or ought to be.

And be it further Enacted, &c. That if any the Inhabitants in any respective Parish or Parishes as aforesaid, shall or do refuse or neglect to pay to the respective Incumbents aforesaid, or any of the said respective Parishes, any sum or sums of money to him respectively payable, or appointed to be paid by this Act, or any part thereof, contrary to the true intent and meaning of this Act (being lawfully demanded at the House

House or Houses, Wharf, Key, Crane, Cellar, or other Premises whereout the same is payable) that then it shall and may be lawful to and for the Lord Mayor of the City of London for the time being, upon Oath to be made before him, of such refusal or neglect to give and grant out Warrants for the Officer or Person appointed to collect the same, with the Assistance of a Constable in the day time, to Levy the same Cithes or Sums of Money so due, and in arrear and unpaid, by Distress and Sale of the Goods of the party or parties so refusing or neglecting to pay, restoring to the Owner or Owners the Overplus of such Goods over and above the said Arrears of the said Monies so due and unpaid, and the reasonable Charges of making such Distress, which he is to deduct out of the Monies raised by sale of such Goods.

In pursuance of which Act the Lord Mayor, upon Complaint to him made by any Minister against any Parishioner, for refusing to pay the Rate assessed, will cause such Parishioner to be summoned to appear before his Lordship; and if he refuse to appear, or to pay the money assessed on his House or Warehouse, his Lordship will, upon Oath made of the Demand thereof, grant his Warrant to Distrein the Goods of such Offender; which Warrant is usually as followeth.

The Form of a Warrant to
Distrein for Tithes or Mo-
neys Assessed and Rated to be
paid in lieu of Tithes.

WHEREAS A. B. is the Parson and
present Incumbent of the Parish
of St. M. B. in London, burnt by the
late dreadful Fire, and hath so: One
year at the Feast of the Annuntiation of
the blessed Virgin Mary last past, and e-
ver since been legally Instituted, In-
duced, and Admitted into the Parish
aforesaid, and hath so: that time officia-
red and preached as Incumbent, and
Parson of the said Parish, in a convent-
ent place within the said Parish, nomi-
nated and appointed by the Lord Bishop
of London. And whereas an Assess-
ment of Ten shillings per Annum, hath
been duly made upon a certain House,
called o: known by the Name o: Sign of
the Bull, within the said Parish, now
and so: two years last past, inhabited
by R. B. towards the raising of the Main-
tenance of the said A. B. the said present
Incumbent of the said Parish, according
to a late Act of Parliament, Intituled
(An Act for the better Settlement of the
Maintenance of the Parsons, Vicars, and
Curates

Curates in the Parishes of the City of London, burnt up by the late dreadful Fire there). And whereas I am informed that the sum of Ten shillings is due and payable to the said A. B. Incumbent and Parson of the said Parish, for four quarters payment of the said Rate and Assessment at the Feast of the Annunciation of the blessed Virgin Mary last past before the date hereof. And soasmuch as Oath hath been this day made before me, Sir J. S. Lord Mayor of the City of London, by C. W. (he being the person appointed to collect the said Assessment) that he hath lawfully demanded the said Ten shillings at the said House whereat the same is payable; And that the said R. B. the said Inhabitant of the said House in the Parish aforesaid, doth refuse and neglect to pay to the said A. B. the said present Incumbent of the said Parish, the said sum of Ten shillings, to him payable as aforesaid, These are therefore in his Majesties Name, straightly to Charge and Command you the said C. W. (being the person appointed to collect the same) with the Assistance of a Constable, in the day time to levy the said sum of Ten shillings so due and in arrear, and unpaid of the said Assessment on the House aforesaid, by Distress and Sale of the Goods of the said R. B. restoring unto him the Overplus of such Goods over and above the said Ten

Ten shillings, and the reasonable Charges of making the said Distrels, according to the said Act in such case made and provided. And these are further in his Majesties Name, straightly to Charge and Command all and every the Constables within this City and Liberties thereof, to be aiding and assisting unto the said C. W. in the due execution hereof; and this shall be your Warrant. Dated, &c.

To C. W. and all, every, or any of the Constables within the City of London and Liberties thereof.

The Lord Major for the time being, may grant a Warrant under his Hand and Seal to examine and try Weights and Measures, which is usually done in these words; viz.

Lond^r sh. **W**hereas great Abuses are and have been committed in the City of London and Liberties thereof, by using and keeping unlawful, unsealed, and unsized Weights and Measures, which are found to be very false and deceitful, and not warrantable by his Majesties Laws to be used in buying and selling. And whereas many persons, Inhabitants within this City and Liberties

erties thereof, as I have ben inform-
ed, do ordinarily use Weights, called
or known by the name of Venice Weights,
not allowed or appointed by the Lawes
of this Realm, nor by any other lawful
Authority, and do usually buy by one
Weight, and sell by another, These are
to authorize and appoint you, and either
of you my lawful and sufficient Depu-
ties, at all and every time and times,
fit and convenient, peaceably and qui-
etly to enter into all Shops, Houses,
Warehouses, and other places whatso-
ever within this City & Liberties there-
of, where any Beams, Weights, Mea-
sures, Bars, Ells, Sacks for Char-
coals, and such like, shall be suspected to
be, and there to try and search all man-
ner of Beams, Weights, Sacks for
Charcoal, and Measures whatsoever,
whether they be true, just, sealed, and
sized, as by the Lawes and Statutes of
this Land they ought to be, and if you,
or either of you shall find any false
Beams, or any unlawful, unsealed, or
unsized Weights, Sacks, or Measures,
That then you bring the same, or cause
the same to be brought to Guildhall, there
to remain until Order shall be taken for
the defacing, or otherwise disposing
thereof, and certifie me the Names and
Surnames, and dwelling places of the
Offenders, to the end they may be dealt
withal as to Justice shall appertain.

and as the Law requireth: And also if you, or either of you do find any of the said Sacks of Charcoal that shall not be well and sufficientl^y filled, that then you, or either of you do cause the said Sacks to be set upright, and filled out of the rest of the said Sacks, according as is directed and appointed, that so the people of this City may not be deceived therein. And I do hereby require in his Majesties Name, to Charge and Command all and every the people of this Nation, resorting to, and inhabiting in this City or Liberties thereof, who have used, or do use, or shall have any cause to use Weights, or Sacks for Charcoal, or Measures, that they do not in any wise hereafter use any but those that are or shall be just and true, and that they do not in any wise, from henceforth, hinder or withstand my said Deputies, or either of them, in the due Execution of the Premises. And I do hereby require all Constables, Serjeants at Mace, and Beadles of the Ward, and other Officers and Ministers whatsoever within the said City and Liberties thereof, that they be aiding and assisting to my Deputies, J. M. and G. M. Citizens and Weavers of London, and either of them, in the due and lawful Execution of the Premises, as they and every of them will answer the contrary, if they shall fail or refuse to do that which

Courts belonging to London.

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which shall be lawfully required of them
in that behalf. Dated, &c.

To J. M. and G. M. and
to either of them.

The Lord Major and Aldermen may, if
they please, punish all Constables and others
that shall neglect to Watch, pursuant to an
Act of Common Council made in the Ma-
joralty of Sir John Robinson, intituled, *An
Act for the better ordering of the Night Watches
within the City of London and Liberties there-
of*; which followeth in these words.

Whereas by the ancient, good, and
laudable Custom of the City of
London, all and every person and per-
sons which do dwell, occupy, or inhabit
in any House or Houses within the same
City or the Liberties thereof, as well
such as are not free of the said City, as
other the Freemen of the same, being
persons able and fit to watch, or to find
an able and fit person to watch, for him,
her, or them, or in his, her, or their
stead, ought by reason of their habita-
tion, occupation and dwelling, to keep
watch within the Ward wherein he, she,
or they do occupy and inhabit, for the
preservation of the King's Peace, and
for the arresting and apprehending of all
Night-walkers, Malefactors, and sus-
pected

speared persons, which shall be found passing, wandring, and mis-behaving themselves: And whereas every Constable of any Precinct is a Constable to all intents and purposes, not only in the Precinct and Ward where he dwelleth, but in all and every other Precinct, Ward, and place within the said City and the Liberties thereof: And whereas there is now, and of late years hath ben (by reason of the great concourse of people from all parts to the said City) great necessity of a strong and sufficient Watch to be kept every Night within every Ward of the said City, and the Liberties thereof; and it hath ben thought fit and provided by former Orders and Acts of Common Council, for the safety and peace of the said City, that the number of men to watch every night, in every Ward throughout the said City and Liberties thereof, shall be as hereafter particularly followeth, viz.

Aldgate	34
Dukes-place	10
Aldersgate	44
S. Martin's le Grand	12
Bishopsgate	80
Broadstreet	30
Billinggate	30
Bridge within	25
Bassishaw	12
Breadstreet	26

Cornhill

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Cornhill	16
Candlewick	24
Cordweiner	24
Cheap	25
Cripplegate within	40
Colemanstreet	34
Cripplegate without	90
Castle Baynard	40
Dowgate	36
Farringdon within	50
Mugwellstreet	4
Blackfriars	14
Farringdon without	130
Whitefriars	8
Bridewel Precinct	8
Bartholomew Great	10
Bartholomew Less	4
Limestreet	11
Langborn	34
Portoken	60
Queenhith	40
Tower	40
Vintry	34
Walbrook	20

Yet nevertheless the said Watches are
 very weak and wanting, by reason that
 many ill-affectd persons, not willing
 to do any duty for the publick safety, or
 not proportionable to the number of the
 Inhabitants where they dwell, under
 pretence that they ought not to watch
 with any other Constable then the Con-
 stable

Stable of the Precinct wherein they inhabit, whereas several Precincts within the said City and Liberties of late, by multiplicity of new Buildings, and Divisions of Houses, are grown far more populous, than other Precincts, and many Precincts have not Inhabitants to make up a third, fourth, fifth, or sixth part of the number of Watchmen also, and, or a competent number of Watchmen for safeguard of the said Ward, so that without some way (other then the Inhabitants of every Precinct to watch with the Constable of that Precinct, or some new Division of every Ward, so proportioning and appointing the number therein to keep watch) a sufficient Watch cannot be kept, whereof divers refractory persons taking advantage, and pretending that they are not by Law compellable thereto, will not yield obedience to the Government of the said City therein, but refuse to watch when they are required, whereby the Watches are generally much neglected, and the Constables and other Officers much troubled and discouraged, and the said City and Inhabitants therein much damaged and endangered thereby, and likewise upon several occasions and disturbances of late have been put upon great and extraordinary charge and trouble, in serving upon Military Guards of the Trained Bands

Bands and Auxiliary Forces of the said City.

Now the Right Honourable the Lord Mayor, the Right Worshipful the Aldermen his Brethren, and the Commons in this Common Council assembled, taking the Premises into their consideration, and conceiving it very necessary at all times, that there should be sufficient Watches kept within the said City of London and Liberties thereof, for remedy therein, and for the better ordering and establishment of the Watches to be hereafter duly kept within the said City and the Liberties thereof, do Enact and Ordain, and be it Enacted and Ordained by the said Lord Mayor, Aldermen, and Commons in this Common Council assembled, and by Authority of the same, that one Constable with the Beadle in every Ward, and the said number of persons respectively shall watch every Night in every of the Wards aforesaid respectively, from nine of the Clock in the Evening, till seven of the Clock in the Morning, from Michaelmas-day till the first of April, and from the first of April till Michaelmas-day from ten of the Clock in the Evening, till five of the Clock in the Morning: And that the Alderman, Deputy, and Common Council-men of every of the said Wards respectively, or the major part of them, shall forthwith take an exact Survey of all the Inhabitants and House-keepers

within their respective Wards, who are able and fit to watch or find Watchmen; and shall nominate and appoint one Constable in their said Wards, with the Beadle of their respective Wards, and the full number of Inhabitants within the said respective Wards, according to the proportions beforementioned, to watch every night within the respective Wards, beginning at one certain place within the said respective Wards, & from thence to proceed & go forward in an orderly way, and appoint the next Night one other Constable and the like full number of Inhabitants next adjoining unto those who watched the Night before, and so to proceed forward through the Ward, one Constable and the full number of Inhabitants to watch every Night, and then to begin again with those Inhabitants who first watched, and proceed forwards every Night in turn as aforesaid, without respecting any one Precinct more than another, but that all the Inhabitants within the said Wards respectively do watch, or find Watchmen in their turns, as aforesaid, who shall watch with the Constable appointed as aforesaid, though he be not of the same Precinct as the Inhabitants be; and that all the Constables within the respective Wards, shall in their turns, one after another, watch with the said Inhabitants, and when they have watched all over by turns as aforesaid, he that began shall begin again,

gain, and the rest follow in their turns; and so one after another, as often as it shall come to their or any of their turns: And that the said Alderman, Deputy, and Common Council-men of the respective Wards aforesaid, or the major part of them shall likewise appoint a certain place within the said Ward, where the Constable and all the Watchmen shall every Night first meet so that Night, & agree to what places they shall afterwards go to watch in the said Ward in such manner and order, that the Constables and Watches of every Ward may maintain a correspondence and intelligence with each other, and be ready upon some sound or sign, to be made or given, to come in, in an instant if there be need, upon any disorder or other occasion, to the help and assistance of one another; and shall also appoint the number of Watchmen which shall be, and continue together in every place, and cause the name of the Constable, and of every Inhabitant which is to watch with every several Constable, and the times and places of their meeting and watching particularly every several Night to be printed and delivered to every Constable within their Ward respectively, and one or more papers thereof so printed to be set upon posts or open places; where every constable and such as are to watch with him respectively dwell, that

every Constable and Watchman may know the Night, Time, and Places where they are to watch: And that the Constable, on the day before his watch-night, or the Beadle of that Ward, do warn every man that is to watch with him accordingly, or leave notice thereof in writing at the House of every such man: And that the Inhabitants of every Ward do take notice hereof, and pretence of privilege, usage, or custom to the contrary hereof in any wise notwithstanding.

And be it also further Enacted by the Authority aforesaid, That if any Constable shall make default in executing his Office, or doing his Service in any of the Premises hereby appointed, or hereafter to be ordered or appointed as aforesaid, without just and reasonable cause to be allowed of as is hereafter mentioned, that then every such Constable shall forfeit and pay for every such default five pounds: And that if any person appointed and warned to watch or to find an able and fit person to watch in his or her stead as aforesaid, shall refuse or make default to watch, or to find an able and fit person to watch in his or her stead as aforesaid, that then every such person so refusing or making default to watch as aforesaid, and not having just and reasonable cause for such his default, as shall be allowed of by the
 Lord

To: d Major of the said City, or the Alderman of that Ward for the time being, shall forfeit and pay for every such default Twenty shillings.

And it is hereby farther Enacted, That the Alderman, Deputy, and Common Council-men of every Ward, or the major part of them, for the time being, shall from time to time nominate and appoint two or more honest able men of the same Ward, who shall be called Supervisors, to take care and oversee that the Watches appointed in every Ward be from henceforth duly kept: And that the Constables, Beadle and Watchmen, execute, do and perform their duties and services therein, or otherwise pay the forfeitures and payments herein before ordained for their defaults respectively: and that the same Supervisors, or one of them, shall take notice of such of the said Inhabitants as absent themselves at any time from watching as aforesaid, and likewise of such Constables and Beadle as shall at any time make default, be remiss or negligent in performance of his or their Duties in the Premises, and shall likewise from time to time present the name of every such Delinquent to the To: d Major of the said City for the time being, or to the Alderman of the Ward where such Default shall be made, that every such Delinquent may pay the forfeiture and pay-

ment imposed upon him or her as aforesaid: And that the Beadle of every Ward, or some trusty person for him, shall in the presence of the Constable and one of the said Overseers, if they, or either of them can be present, call over the Names of all those which shall be appointed to watch each night respectively in their course as aforesaid, as well at the hours appointed for their meeting in the Evening, as also at the time appointed for the breaking up of the watch in the morning: and that they the Constable, or Beadle, or one of them, or some other trusty person in their or either of their behalf, in case the Supervisor shall be absent at any of the said times, shall take a Note in writing of the Names and Surnames of every of the Inhabitants then appointed to watch, as shall be absent from their watch at any of the hours herein before appointed Evening or Morning, and shall deliver the said Note the next day to the Supervisors, or one of them: And that the Constables, Supervisors, and Beadle of every the said Ward, and every of them, shall bring before the Lord Mayor of the said City for the time being, or the Alderman of their Ward, every Constable or other person making default in any of the Premises respectively, if such person making default will readily and voluntarily go along with

with him; and every such Defaulter shall then presently pay to the Lord Mayor or Alderman aforesaid, such forfeitures and payments as are herein before limited and appointed for them respectively to pay as aforesaid; and that all Monies so forfeited and paid as aforesaid, shall be imploied to and for the relief of the poor of the said Ward, as the Lord Mayor or Alderman of the Ward where such default shall be made shall think fit and appoint: But if such Defaulter shall refuse to go with the said Constable, Supervisor, or Beadle, before the said Lord Mayor or Alderman as aforesaid, or going shall refuse or delay to pay the said forfeitures, penalties, or sums of Monie, respectively as aforesaid, that then, and in either of the said cases, such Defaulter shall forfeit and pay treble the aforesaid penalties or sums of Monie: All which forfeitures heretofore forfeited shall respectively be recovered by Action of Debt, Bill, or Information, in the name of the Chamberlain of this City for the time being, in the Court holden before the Lord Mayor and Aldermen of the said City in the Chamber of the Guildhall of the same City, to be prosecuted by the Beadle of the Ward wherein every of the said Offences aforesaid shall be committed, or any other person or persons thereunto appointed by the said Lord Mayor or the

Alderman of such Ward: And after recovery thereof one Whietp of the same after all Charges deducted, shall be to the said Beadle or other Prosecutors, and the other Whietp to be imploied to the relief of the poe of the Ward wherein such Offence shall be committed, as the Lord Mayor or Alderman of the same Ward shall direct and appoint. In all which Suits to be brought by virtue of this Act, the Chamberlain shall recover his ordinary Costs and Charges to be expended for the recovery of all such forfeitures against the Offenders.

And lastly, be it enacted by the Authority aforesaid, That the Beadles of the several Wards of this City, or any of them, shall not hereafter take or have any allowance of Watchmen, called Dead-pays, for or in respect of their Nightly watching, or for or in consideration of any other Service whatsoever, but that the Inhabitants of every Ward shall amongst themselves raise some convenient sum of Money for a fit and competent Salary and Allowance to be made unto the said Beadles for their said Service: Or if the said Inhabitants of all or any the said Wards cannot agree upon raising such Salary or Sum of Money, then the same to be done by Authority of Common Council, by such way and means, and in proportion

tion to the Service and the Extent of each Ward, as by the said Common Council shall upon farther consideration be found just and reasonable.

The Lord Major doth Annually issue out his Precept to the Aldermen of every Ward to hold his Wardmote for the Election of Common Council-men, and other Officers. The Tenor of which Precept is as followeth.

To the Alderman of the
Ward of

WE charge and command you, ^{Ward-} that upon St. Thomas day the ^{mote,} ~~N~~ possible next coming, you do hold your Wardmote, and that you have afoze us at our General Court of Aldermen to be holden the Monday next after the Feast of the Epiphany next coming, all the Defaults that shall be presented afoze you by Inquest in the said Wardmote; and the said Inquest shall have full power and ^{Inquest} ^{for the} ^{year.} authority by one whole year to enquire and present all such Defaults as shall be found within your said Ward, as oftentimes as shall be thought to you expedient and needful, which we will shall be once every Month at the least.

2. And

Inquest
dying.

2. And if it happen any of your said Inquest to die, or depart out of your said Ward within the said year, that then, in place of him or them so dying or departing out of your said Ward, you cause to be chosen one able person in his stead to enquire and present with the other in manner and form abovesaid.

Non-ap-
pearance.

3. And that, at the said general Court, you give also us the Names and Surnames of all them of your said Ward that come not to your said Wardmote, if they be duly warned, so that due redress and punishment of them may be had, as the case shall require, according to the Law.

Watch,
Light,
Vizard.

4. And that you do provide, that at all times convenient, a sufficient watch be kept: And that Lanterns with Light by nightertail in old manner accustomed be hanged forth: And that no man go by nightertail without Light, nor with Vizard, on the peril that belongeth thereto.

Common
Council.

5. And also that you do cause to be chosen men, of the most sufficient, honest, and discreet men of your said Ward, to be for your said Ward of the Common Council of this City for the Year ensuing, according to the Custom in that behalf yearly used. And also that you do cause the said men, so to be chosen to be of the Common Council, so be sworn before you, and in your presence,

sence, according to the Oath by them used, and of old time accustomed: The Tenor of which Oath hereafter ensueth:

YE shall swear, that ye shall be true to our Sovereign Lord the KING that now is, and to his Heirs and lawful Successors, and readily come when ye be summoned to the Common Council of this City, but if ye be reasonably excused; and good and true Counsel ye shall give in all things touching the Common-weal of this City, after your wit and cunning: And that for favour of any man ye shall maintain no singular profit against the common profit of this City: And after that ye be come to the Common Council, ye shall not from thence depart, till the Common Council be ended, without reasonable cause be else by the Major's Licence: And also that all secret things that be spoken or said in the Common Council, the which ought to be kept secret, ye shall in no wise disclose. *As God you help.*

And that together with the said Oath of their Office, you administer to the said Persons that shall be chosen of the Common Council, the Oaths of Supremacy and Allegiance, and the other Oath hereafter following.

I A. B. Do utterly testifie and declare in my Conscience, that the KING's Highness is the only Supream Governour of this Realm, and of all other his Highnesses Dominions and Countries, as well in all Spiritual or Ecclesiastical things or causes as Temporal; And that no Forreign Prince, Person, Prelate, State or Potentate, hath or ought to have any Jurisdiction, Power, Superiority, Preeminence or Authority Ecclesiastical or Spiritual within this Realm: And therefore I do utterly renounce and forsake all Forreign Jurisdctions, Powers, Superiorities and Authorities, and do promise that from henceforth I shall bear Faith and true Allegiance to the KING's Highness his Heirs and lawful Successors; and to my power shall assist and defend all Jurisdctions, Priviledges, Preeminences and Authorities granted or belonging to the KING's Highness, his Heirs and Successors, or united and annexed to the Imperial Crown of this Realm. *So help me God, and by the Contents of this Vow.*

I A. B. Do truly and sincerely acknowledge, profess, testifie and declare in my Conscience before God and the World, that our Sovereign Lord King CHARLES is lawful and rightful King of this Realm, and of all other his Majesties Dominions and Countries; and that the Pope, neither of himself, nor by any Authority of the Church or

See

See of *Rome*, or by any other means with any other, hath any power or authority to depose the King, or to dispose any of his Majesties Kingdoms or Dominions, or to Authorize any Forreign Prince to invade or annoy him or his Countries, or to discharge any of his Subjects of their Allegiance and Obedience to his Majesty, or to give Licence or Leave to any of them to bear Arms, raise Tumults, or to offer any violence or hurt to his Majesties Royal Person, State or Government, or to any of his Majesties Subjects within his Majesties Dominions. Also I do swear from my heart, that notwithstanding any Declaration or Sentence of Excommunication or Deprivation made or granted, or to be made or granted, by the Pope or his Successors, or by any Authority derived or pretended to be derived from him or his See, against the said King, his Heirs or Successors, or any Absolution of the said Subjects from their Obedience, I will bear Faith and true Allegiance to his Majesty, his Heirs and Successors, and him and them will defend to the uttermost of my power, against all Conspiracies and Attempts whatsoever which shall be made against his or their Persons, their Crown and Dignity, by reason or colour of any such Sentence or Declaration or otherwise; and will do my best endeavour to disclose and make known unto his Majesty, his Heirs and Successors, all Treasons and Traiterous Conspiracies which I shall know or hear of, to be against him or any
of

of them. And I do farther swear, That I do from my heart abhor, detest and abjure as impious and heretical, this damnable Doctrine and Position, that Princes which be excommunicated or deprived by the Pope, may be deposed or murdered by their Subjects or any other whatsoever. And I do believe, and in Conscience am resolved, that neither the Pope nor any Person whatsoever hath power to absolve me of this Oath or any part thereof, which I acknowledge by good and full Authority to be lawfully administered unto me, and do renounce all Pardons and Dispensations to the contrary. And all these things I do plainly and sincerely acknowledge, and swear according to these express words by me spoken, and according to the plain and common sense and understanding of the same words, without any equivocation, or mental evasion, or secret reservation whatsoever: And I do make this Recognition and Acknowledgment heartily, willingly and truly, upon the true Faith of a Christian. **So help me God, &c.**

I A. B. Do declare and believe, that it is not lawful, upon any pretence whatsoever, to take Arms against the KING: And that I do abhor that Traiterous Position, of taking Arms by his Authority against his Person, or against those that are Commissioned by him. **So help me God.**

And

And farther, that you likewise administer to the same Persons that shall be so elected of the Common Council, to be by them subscribed, the ensuing Declaration:

I A. B. Do declare, That I hold that there is no Obligation upon me or any other Person from the Oath commonly called, *The Solemn League and Covenant*; And that the same was in it self an unlawful Oath, and imposed upon the Subjects of this Realm against the known Laws and Liberties of the Kingdom.

For that otherwise, if the said persons or any of them, that shall be elected as aforesaid of the Common Council, shall not take the said Oaths, and subscribe the said Declaration, their Election and Choice is by the late Act of Parliament, for the governing and regulating of Corporations, enacted and declared to be void.

6. And that also in the said Ward, mote you cause to be chosen certain other honest persons to be Constables and Scavengers, and a Common Beadle, and a Raker to make clean the Streets and Lanes of all your said Ward, according to the Custom yearly used in that behalf: which Constables have and shall have full power and authority to distrain for the

Constables.
Scavengers.
Beadle.
Raker.

the Salary and Quarterage of the said Beadle and Taker, as oftentimes as it shall be behind or unpaid.

Roll of
Names.

7. Also that you keep a Roll of the Names, Surnames, Dwelling-places, Professions and Trades of all persons dwelling within your Ward, and within what Constables Precinct they dwell, wherein the place is to be specially noted by Street, Lane, Alley, or Sign.

Consta-
bles.

8. Also that you cause every Constable from time to time to certify unto you the Name, Surname, Dwelling-place, Profession and Trade of every person who shall newly come to dwell within his Precinct, whereby you may make and keep your Roll perfect: And that you cause every Constable for his Precinct, to that purpose, to make and keep a perfect Roll in like manner.

Roll.

Innholder.
Lodger.
Sojourner.

9. Also that you give special charge, that every Innholder and other person within your Ward, who shall receive any person to lodge or sojourn in his house above two days, shall before the third day after his coming thither, give knowledge to the Constable of the Precinct where he shall be so received, of the Name, Surname, Dwelling-place, Profession and Trade of life, or place of service of such person, and for what cause he shall come to reside there: And that the said Constable give present notice thereof to you. And that the said Innholder

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holder lodge no suspected person, or men Suspect
or women of evil Name. persons.

10. Also that you cause every Constable within his Precinct, once every month at the farthest, and oftner, if need require, to make diligent search and inquiry what persons be newly come into his Precinct to dwell, sojourn or lodge: And that you give special charge, that no Innholder or person shall resist or deny any Constable in making such search or inquiry, but shall do his best endeavour to aid and assist him therein. Search.

11. And for that of late there is more resort to the City of persons evil-affected in Religion and otherwise than in former times hath been: You shall diligently inquire if any man be received to dwell or abide within your Ward that is not put under Frank pledge, as he Frank
ought to be by the custom of the City: pledge. and whether any person hath continued in the said Ward by the space of one year, being above the age of twelve years, and not sworn to be faithful and loyal to the Kings Majesty, in such sort as by the Law and Custom of this City he ought to be.

12. To all these purposes the Beadle Beadle of every Ward shall employ his diligence, and give his best furtherance.

13. Also you are to take order that Stocks, &c.
there be provided and set up a pair of Stocks and a Whipping Post in some
com

convenient place in every Parish within your Ward, for the punishing of Vagrants and other Offenders.

Fire.

14. Also that you have special regard that from time to time there be convenient provision for Hooks, Ladders, Buckets, Spouts, and Engines, in meet places within the several Parishes of your Ward, for avoiding the peril of Fire.

Streets.

15. Also that the Streets and Lanes of this City be from time to time kept clean before every Church, House, Shop, Ware-house, Door, Dead-wall, and in all other common Passages and Streets of the said Ward.

16. And where by divers Acts of Common Council, also time made and established for the Common weal of this City, among other things, it is Ordained and Enacted, as hereafter enlueth:

Hucklers
of Ale and
Beer.

Also it is Ordained and Enacted, That from henceforth no Huckster of Ale or Beer be within any Ward of the City of London, but honest persons, and of good name & fame, & so taken & admitted by the Alderman of the Ward for the time being; & that the same Hucksters do find sufficient surety also the Mayor & Aldermen for the time being, to be of good guiding & rule: And that the same Hucksters shall keep no Bawdy, nor suffer no Lechery, Dice playing, Carding, or any other unlawful Games to be done, exercised or used within their Houses: And

to

to shut in their Doors at nine of the clock in the night, from Michaelmas to Easter, and from Easter to Michaelmas at ten of the clock in the night, and after that hour sell no Ale or Beer. And if any Duckster of Beer or Ale, after this Act published and proclaimed, sell any Ale or Beer within any Ward of the City of London, and be not admitted by the Alderman of the same Ward so to do, or find not sufficient surety, as it is above rehearsed, the same Duckster to have imprisonment, and make fine and ransom for his contempt after the discretion of the Lord Mayor and Aldermen: And also that the said Ducksters suffer no manner of common eating and drinking within their Cellars or Vaults, contrary to the Ordinance thereof ordained and provided, as in the said Act more plainly appeareth at large. We charge you that you put the same in due execution accordingly.

17. And also that ye see all Tipplers, and other sellers of Ale or Beer, as well private Offeries, as Brewers and Innholders, within your Ward, not selling by lawful measures sealed and marked with the City Arms or Dagger, be presented, and their names in your said Indentures be expressed, with their Defaults, so that the Chamberlain may be lawfully answered of their amercements.

Measures sealed.

The Law and Practice of the

18. And also that you suffer no Alien, or son of any born an Alien, to be of the Common Council, nor to exercise or use any other Office within this City, nor receive or accept any person into your watch, privy or open, but Englishmen born: And if any Stranger born out of this Realm, made Denizen by Letters Patents, or any other after his course and lot be appointed to any watch, that then ye command and compel him or them to find in his stead and place an Englishman to supply the same.

19. And also that you cause an Abstract of the Assize appointed by Act of Parliament for Billets and other Firewood, to be fair written in Parchment, and to be fixed or hanged up in a Table in some fit and convenient place in the Parish within your Ward, where the common people may best see the same.

Streets.
Pain 40 s.

20. And furthermore, we charge and command you, that you cause such provision to be had in your said Ward, that all the Streets and Lanes within the same Ward be from time to time cleansed and clearly voided of Ordure, Dung, Ashes, Rubbish and other filthy things whatsoever be to the annoiance of the King's Majesties Subjects.

Vagrants.

21. And also that at all times as you shall think necessary, you do cause search to be made within your said Ward for all vile and Vagrants, suspicious and idle people,

people, and such as cannot shew how to live, and such as shall be found within your said ward, that you cause to be punished and dealt with according to the Lawes and Statutes in such case ordained and provided.

22. And also we will and charge you Jurymen. the said Alderman, that your self certify and present before us at the said general Court, to be holden the aforesaid Monday next after the feast of the Epiphany, all the names and surnames truly written of such persons within your said ward as be able to pass in a Grand Jury by themselves: And also all the names and surnames truly written of such persons being and dwelling within your said ward, as be able to pass in a Petty Jury by themselves: that is to say, Every Grand Jurymen to be worth in Goods an hundred Marks, and every Petty Jurymen forty Marks, according to an Act in that case ordained and provided: And the same you shall indorse on the backside of your Indenture.

23. Item, for divers reasonable and Harlots. urgent considerations us especially moving, we straightly charge and command you on the King our Sovereign Lords behalf, That you diligently provide and see, that no manner of person or persons within your said ward, what condition or degree soever he or they be of, keeping any Tavern or Alehouse,

house, Ale-cellar, or any other Victuall-
ling house, or place of common resort to
eat or drink in within the same ward,
permit or suffer at any time hereafter
any common woman of their bodies,
or Harlots, to resort and come into their
said House, or other the places aforesaid,
to eat or drink, or otherwise to be cen-
versant or abide, or thither to haunt or
frequent, upon pain of imprisonment
as well of the Tenant and Keeper of e-
very such House or Houses, and all o-
ther the places aforesaid remembred, as of
the common woman or Harlots.

Articles.

24. Also that you do give in charge to
the Wardmote Inquest of your ward
all the Articles delivered to you here-
with, and that you have a special care
of keeping the peace and good order du-
ring your Wardmote; and if any of-
fend herein, you fine or punish him or
them according to Law.

25. And whereas the moneys recei-
ved for the fines of persons refusing to
hold Ward Offices within your ward,
ought to be employed in the service and
for the publick benefit of the whole ward,
and not of any particular Priore or
Parish within the ward: These are
therefore to require you to take care,
that all such fines be from time to time
disposed of accordingly for the benefit of
the whole ward, as you with the De-
puty and Common Council-men of your
ward,

ward, shall think most fitting and convenient: And that no such fines be received or employed in any particular Precinct or Parish.

Not failing hereof, as ye tender the common weal of this City, and advancement of good Justice, and as ye will answer for the contrary at your uttermost peril. Dated at
under the Seal Office of Majesty of
the said City, the day of De-
cember, in the year of the
Reign of our Sovereign Lord CHARLES
the Second, by the Grace of God, King
of England, Scotland, France and Ireland,
Defender of the Faith, &c.

THE
COURT
OF
CONSERVARY
FOR THE
River of Thames.

THis Court is held before the Lord Major at such times as he shall appoint and direct within the respective Counties near adjacent to the Cities of *London and Westminster*.

The Water-Baylis is my Lord Major's Deputy and ought to give notice to his Lordship of all Offences committed by any persons, contrary to the Orders made for preservation of the brood and fry of Fish in the said River.

There have been several Orders made and devised for that purpose; some of which Orders are as followeth; viz.

Orders

Orders devised and agreed upon by the Right Honourable Sir *Robert Ducie* Knight and Baronet, Lord Major of the City of *London*, and Conservator of the River of *Thames* and Waters of *Medway*, for the preservation of the brood and fry of Fish within the West part of the said River, as followeth.

First, That no man, upon penalty and forfeiture of his *Net* and *Ten* pounds, with imprisonment at the discretion of the Lord Mayor, shall presume to shute any *Draw-net* or *Coulter-net*, at any time of the year, before *Sun-rising* nor after *Sun-setting*; so that in the Night time unlawful *Nets* may be used, and other abuses offered, to the great hurt and annoyance of the said River of *Thames*; and to shute in their several rooms well known.

2. Item, That no Fisher-man or other shall still, lie, or bend over any *Net* during the time of the flood, whereby both
Sal

The Law and Practice of the

Salmons and other kinds of fish may be hindred and kept back from swimming upwards, to the benefit and profit of such fisher-men as dwell in the west part of the said River; upon the like pain and penalty.

3. Item, That no fisher-man or other shall shute any Draw-net, Cod-net, or other Net or Engin, wherebp any Salmon-fish shall be taken after Holyrood day is past, being the fourteenth day of September, because at that time they are out of season, and remain here upon the River only to spawn and breed; upon the like payment.

4. Item, That no fisher-man or other shall fish with any Net, or lay or hale any Weel, or use any other Net or Engine whatsoever, from Sun-setting on Saturday at Night, until Sun-rising upon Monday Morning, no, not during all the time of Lent, as being a thing not only very hurtful to the said River, but also a great abuse and profaning of the Lord's Sabbath; upon the like payment.

5. Item, That no fisher-man or other shall at any time hereafter ship their Draw-nets (called Shipping a Stern) into their Boats, before such time as they have laid forth all their whole Net, as they do when they land towards a low water, no; that they ship some part of their said Net, and land the rest; but that

that from henceforth they shall fulfil and observe that ancient order of landing their Nets (as they have heretofore usually done) at low water; upon the like payment.

6. Item, That no Fisher-man or other person whatsoever shall use any Spear, called an Cel-spear, at any time of the year, for that they are likewise very great destroyers of Barbels and other kinds of Fish; nor shall work with any Dlep-net, Rugge-net, or Smelt-net, upon the said water westward, farther then Illeworth Church, from the Tenth day of March yearly, until Holyrood day be past, being the fourteenth day of September; upon the like payment.

7. Item, That no Fisher-man or other shall at any time of the year use or exercise any Flue, Trammel, Double-walled-net, or Hooped-net whatsoever, for that they are not only the utter destruction of all breeding Barbels, but also a great spoil and hurt to other sorts of the pounge and fry of fish, being with those kind of Nets infinitely destroyed, to the general ruin of the River aforesaid; upon the like payment.

8. Item, That no Fisher-man or other shall lay any Weels called Hills in any place of the River, from the Tenth of March till the Tenth of May yearly, for that all Roaches do then shed their spawn;

Spaw; no; that no man whatsoever cut any Bull-rushes, or other flaggs or Sedges growing upon the River from Richmond unto the Markstone above Stains-bridge, so; that they are a great succour and safeguard unto the fish; upon the like payment.

9. Item, That no fisher-man or other shall use within the said River of Thames, any Weel called a Tomb or a Mill-pot, or any other Engine, with the head thereof against the Stream, upon pain of forfeiture of Ten pounds, and imprisonment at the discretion of the Lord Mayor: No; that no man whatsoever shall occupie upon the said River of Thames, any Nets called Purse-nets, otherwise Casting-nets, upon the like payment.

10. Item, That no fisher-man or others shall be suffered to rug so; Flounders either by Ebbe or by flood, at any time of the year, between London-bridge and Stran-gate on the South side, and Westminster-bridge on the North side, but only two calis at low water, and two calis at full sea or high water, so; the safeguard of the fry and brood of fish; and no Flounder shall be taken under the assize of six inches: No; that no fisher-man or other shall fleet with any Dleep-net upon the benches from Whitehall to the Temple-stairs upon high waters, from Whitsontide to Bartholomewtide; upon like payment.

11. Item,

11. Item, That no Fisher-man or other person whatsoever shall cast, bring, or cause to be brought, any Carrion, Soil, Gravel, Rubbish, Rods of Earth, or any other filth or Annopance, whereby Banks and Shelves are raised, and the common passage hindred, to the great danger of Fares, Boats, and Barges, passing to and fro upon the said River: Nor that no Fisher-man or other shall drive or cause to be driven any Piles, Stumps or Stakes, within the said River of Thames, upon which the like mischief and dangers may arise, until such time as they be lawfully licensed so to do; upon the like pain and penalty as aforesaid.

12. Item, That no Fisher-man or other shall presume to take up any Rack or Drift upon the water of Thames, without notice given thereof to the Water-Bailiff, or his Substitute, within convenient time, he satisfying him so; his pains as shall be reasonable and thought fitting; nor shall conceal and keep secret the said Rack or Drift from the said Water-Bailiff, to the end that such order and care may be taken therein as hath been accustomed, according to the Laws and Ordinances ordained for the preservation of the said River; upon like payment and penalty.

13. Item

13. That no Fisher-man or other shall fish with any kind of Net, or use any Angle-rod with more then two Hooks upon a Line, or law or scratch for Barbel within the Limits of London-Bridge, or shall use any other Engine nearer unto the Bridge then St. Botolphs Wharf and the Bridge-house Wharf on the East side, nor nearer on the West side then St. Mary Overies Stairs and the Old Swan; upon the pain of imprisonment at the discretion of the Lord Mayor, and Six shillings eight pence to the Chamber of London.

14. Item, That no Peter-man shall at any time hereafter fish or work with any manner of Net upon the said water Westward farther then Richmond Crane, unto which place, or near thereabouts, the water ebberth and floweth, so that the fishing beyond that place hath caused a great destruction of fish; upon pain of forfeiture of Twenty shillings for every time they shall so offend, and farther punishment according to the quality of his Offence.

15. Item, It is ordered that no Peter-man shall hereafter at any time of the year take the Tides above Richmond, nor go in company together, it being found very prejudicial and hurtful both to the River and Fisher-men, and nothing available for the furnishing of any Markets, nor shall go to fish more then
fide

five together in one company between Richmond and London-Bridge, upon pain of forfeiting for every time Ten shillings, and imprisonment during pleasure.

16. Item, That no Peter-man, or any other, take any Flounders. or any other short fish, which they have usually called Kettle-fish, not being six inches of assize, being found to be to the great destruction of the fish; upon the like penalty and pain.

17. Item, That whereas many inconveniencies have heretofore risen to the River of Thames by divers fishermen keeping of Bops, who had neither sufficiency to take the charge of fishing, nor bound Apprentice to the same: Therefore from henceforth it shall not be lawful for any fisher-man to keep two Bops in one Boat, unless the one of them be at mans estate, or thought sufficient by the Water-Bailiff to take the charge, or else that one of them be an Owner: Nor that no fisher-man from henceforth do take any Apprentice to the said trade of fishing, unless he first enter his name into the Register-Book of the Water-Bailiff of this City, kept for that purpose, nor under the term of seven years; and that, after the expiration of his said term, he likewise come again before the said Water-Bailiff, to be by him admitted a lawful fisherman.

(as

(as of ancient time hath been accustomed;) upon like payment.

18. **Assize.** That every Fisher-man upon the River of Thames, from London-Bridge unto Stains-Bridge, shall once every year (viz. upon St. Paul's day, being the fife and twentieth day of January) appear before the Water-Bailiff of this City, at the Chapel of the Guildhall, by Ten of the Clock in the forenoon of the same day, there to enter their several names into his Register-Book kept for that purpose: And farther, to hear the Orders and Institutions ordained for the preservation of the said River to be openly and publickly read, to the intent that they and every of them may the better perform the same; upon pain of Six shillings eight pence for every default so made. And if any man whatsoever, Fisher-man or other, shall contemptuously or stubbornly resist the Water-Bailiff, being Sub-Conservator under the Lord Mayor, in the due performance and execution of his said Office, he shall make such fine, or be imprisoned at the discretion of the Lord Mayor for the time being, as unto his Lordship shall seem most fitting.

Articles to be inquired upon by
the Jury for the River of
Thames Eastward.

INprimis, You shall faithfully and truly present (without any respect) all such persons, Fishermen and others, as do prophane the Lords Sabbath in their unlawful fishings, and going forth that day to their labour, being to the high displeasure of Almighty God, and availing not to the furnishing of any Market. And if any such Fisherman have gone forth to fish; having been at home, before Sunday at night Sundown, you shall faithfully and truly present them.

2. Item, That no Trinche shall stand for Smelts till the One and twentieth day of October yearly, and so to continue until Good-Friday following. And to use no manner of Net for Smelts than full two inches in the fore part, inch and a half in the second part, and in the third part, which is the Hole or Cod, inch and quarter wet and dry. And the Hole not to exceed eleven foot in length, and in compass sixty Weishes, and not above. And five Hoops placed a foot and a half asunder in the said Cod, the last Hoop to be placed within two foot of the end of the Cod, and each Hoop to be a foot and

Trincher-
men.

a half over every way, upright within the Hoop, and not otherwise.

3. Item, That no Crincke shall stand to fish above Nine Tides in the week, viz. three Tides against Wednesday, three Tides against Friday, and three Tides against Saturday Market, and so likewise; Tides against Saints Eves & other fasting days, and then to wash, hale up, & go home with their said Nets and Boats every Saturday morning to their own Houses. And in Lent time they may stand every day, the Sabbath day excepted.

4. Item, That no Crincke shall stand in any Wyth more than is allowed him to stand, but shall stand in all such several places, and in such manner as hereafter followeth, and in no other place; That is to say, He shall keep his Complement

At Blackwal Ferry two, one Breast or front, and no more.

At Ley shelp two, and no more.

At Woolwich shelp two, and no more.

At Woolwich Town five, and no more.

At Gallions nasse three, and no more.

At Buzards-bush five, and no more.

At the East and West end of Barkin shelp two at each place, and no more.

At Dagnam shelp six, and no more.

At the Carrick four, and no more.

At Julian tree job three, and no more.

At Dartford job three, and no more.

At

At the Bight at Ereth nasse three, and no more.

At Stoke-fleet nasse, alias, Stakes end, five and no more.

At Avely hole five, and no more.

At Purfleet five, and no more.

At Grayes Thorock six, and no more.

At the two Thoroughs three, and no more.

And every Trincke to keep his true Cooplement, and to stand no more in a Byrth.

5. That no Crincke shall stand to fiff for Whittings till the Ember-week before Michaelmas pearly, and to come no higher then Purfleet, and to have the Hole of his Net full inch and a half. And upon Saturday Sun up to wash off his Net, hale up and go home, and not to return to his labour again till Monday morning day-light. And so likewise shall every fisherman do from London-Bridge Westward, to Gravesend-Bridge in the East, and not otherwise.

6. Item, That no Crinckerman or other fisherman shall buy any Crincke, or take to receive any Copp under the Seal of the Office of Majorty until he be allowed and thought fit by the Lord Mayor of London, or by his Substitute, the Water-Bailiff for the time being, with the general liking and consents of the said Company of Crinckermen

The Law and Practice of the
men, and seventeen Crincks allowed, and
no more.

7. Item, That no Crincke shall stand
to fish before any breach mouth at the
rising or sinking of any mother-fishes, or
in the time of Spawne or Brood of fish,
and that every Crincke shall at all times
and seasons take up and carry away his
Ancho: at the time of his leaving off
from fishing, and not leave his said An-
cho: behind him to keep his Byeth,
contrary to the ancient Order and Cu-
stom.

8. Item, That each Crincke shall e-
very dark and foggy night hang forth
out of his said Crinck-boat one Lan-
thorn with sufficient Candle light, for
the better and safer passage of Ships,
Boats and Vessels passing to and fro
upon the said River: And that every
Crincke Cable be no more then twenty
fathom long at the most; or any Penbile
above twenty two fathom. And like-
wise to have a Warpe of forty fathom to
sheer off and give way if any Ship,
Craper, or other Vessel shall chance to
drive upon them.

9. Item, That every Crincker-man
shall one week before his going forth to
fish come up to the Chapel of Guildhal,
London, and there appear before the
Water-Baliff, as well to receive leave
and licence for their going forth, as also
to hear the Orders and Institutions or-
dained

ained for the preservation of the said River, to be there openly and publickly read, to the end that they may the better observe and keep the said Orders and every thing therein contained.

10. Item, That no Hebbeman shall fish for Smelts before the twentieth fourth day of August yearly, and so to continue till Good-Friday: And that no Hebbeman shall fish in any Haven, Creek, Reach, or Issue with any Net of less Mize than three inches for Flounders, from the Feast of Easter, until the said twentieth fourth day of August yearly. And shall likewise appear before the Water-Bailiff of London at the Chapel of Guildhall, there to receive leave and licence for their said going forth. And that the Mesh of their said Smelt-nets be full inch wet and dry, and not otherwise.

11. Item, That every Hebbeman shall fish by the shore, and pitch their Pole at half Ebb, and shall have but forty fathom Rope allowed from the pitch of their Pole into the River, and not to lie a floring or flapping for Smelts between two Anchors in the midst of the stream, nor shall have any kind of weight of Lead, Iron, Stone, Barrel, Firkin, Kilderkin, Cask, or with any Wherry or other Device. Nor shall fish from Good-Friday till Bartholomewtide yearly, betwixt London-Bridge and

Graves-end with any Net under two inches, except with a Wade-net for Bait onlp.

12. Item, That no Hebbet-man shall work any higher for Whittings than Dartford Creek, and to work with no manner of Net for Whittings of less Measure than full inch and half wet and dry: Nor shall go forth to take any of the said Whittings pearly until they be lawfully licensed by the Water-Bailiff of London, before whom they are severally to appear at the said Chapel of Guildhall, London, one week before Gang-tide pearly.

Trawl-
men.

13. Item, You shall present the names and surnames of every Trawler unto the Lord Mayor of London, or his Substitute, the Water-Bailiff for the time being. And that no Trawler shall fish above Holl Haven on the North-side, and Porting on the South side, till a fortnight after Michaelmas pearly, and all the Summer to use no Net for Soals under two inches and a half in the Cod, being two yards long, and the rest of the Net to be three inches. And no Trawler to work in Tilbury-hope after Michaelmas with any manner of Net under four inches for Plaice all the Net over. And no Trawler to come upon any Trawl with any other Net at any time of the year.

14. Item,

14. Item, To present all such as have pitched, set, or created any Rill-hedge, or Dail-nets upon stakes or otherwise within the full sea and low water, being an Engine utterly to kill small fish, and what Landmen they be upon Kentish shore, or in any other place within the waters of Thames and Medway, that do or have used the same.

15. Item, That no Crawler do nap abroad to fish after Whitson-tide against Wednesday Market till Bartholomew-tide pearly, nor that no Crawler do fish in Tilbury-hope upon the Saturday after Sun rising, but to wash off, hale up, and go home, as all other fishermen ought to do, and according to the old and ancient Custom of the River of Thames and waters of Medway.

16. Item, That every Crawler upon the River Eastwards, do pearly appear before the Water-Bailiff of London at the Chapel of Guildhall one week before their true times and seasons of going forth to fish, then and there to receive leave and licence for their said goings forth, and to hear the Orders and Institutions ordained for the preservation and government of the River of Thames, to be there openly and publickly read, to the end that they may the better observe and perform the same.

The Law and Practice of the

17. Item, That no Crawler that hath oꝝ doth use to Crawl to take Soals, Chate, Plaice, oꝝ Chomback shall take oꝝ bring any such fish to any Market, oꝝ to any Country Town to sell, except they contain the assize as followeth; That is to say, every such Soal, Chate, Plaice, and Chomback to contain in length seven Inches with the head and tail, and not under.

Digger-
man.

18. Item, That no Digger-man that hath oꝝ doth use to drag for Shrimps, shall go forth to fish till the first day of November next, and to continue till Good-Friday: Nor shall use any such Drag at any time of the Year above Maggot Nasse on the Southside, and Stakie-Brake Creek on the Northside, and not otherwise. And that every Digger-man shall upon the first day of November next, appear before the Water Bailiff of London, to receive leave and licence for going forth.

Shadder.

19. Item, That all manner of fisher-men whatsoever that use to take Shads in Shadding time, shall observe and keep their true order of shooting a Doves length off from one another, and to prevent what disorder is kept amongst them, both in going forth upon Sundays oꝝ otherwise. And that none of the said Shadders shall go forth to fish until they have received leave and licence of the Lord Mayor of London, oꝝ his Substitute

stitute the Water-Bailiff for the time being, their true time of going forth to be the week before Easter yearly and not before.

20. Item, That no Peter-man whatsoever from London-Bridge in the West, as far as the River of Medway in the East, shall fleet for flounders with any Ruge-net in the night time, from Sun going down until day light the next morning betwixt Michaelmas and Christmas, because in the night time they make great destruction of small flounders, and carry them away both unseen and unknown. Nor that no Peter-man do fish with any Hagan or Smelt-net below London-Bridge at any time of the Year.

21. Item, That no Peter-man or other person whatsoever shall fish betwixt London-Bridge and Limehouse Nasse with any manner of Net to flat, beat, or rugge at any time of the Year, except for Shad only; Nor that no Peter-man do rugge from London-Bridge to Black-wall, and so Eastward, from Michaelmas yearly till Whitsontide, but only three Casts at high water, and three casts at low water in an out, and every Ruge-net is to contain two inches three quarters in the Mesh wet and dry, and every Drey-net two inches and a half throughout wet and dry.

22. Item

Smelt-
leaps.

22. Item, That no fisherman or other person whatsoever, shall lay down in the River of Thames Eastward any Smelt-leaps before St. Paul's day yearly, and so to continue till Good-Friday next following, and no longer. Nor that no fisherman or other person shall lay in the said River any more than only one wand of eighteen and no more, and not to lay them down until they be lawfully licensed thereunto by the Lord Mayor or Water Bailiff, and none to use them but fishermen and householders.

Eel-leaps.

23. Item, That no fisherman or other person shall lay in the said River of Thames any Eel-leaps till fourteen days after Easter yearly, and so to continue until Michaelmas next following: Nor shall lay any more or greater quantity than only two dozen, and no more: Nor shall lay any of the said Eel-leaps until they be lawfully licensed thereunto as aforesaid, and not otherwise.

Eel-spear.

24. Item, That no fisherman or other person whatsoever, shall use upon the River of Thames, at any time of the Year, any Spear called an Eel-spear, or any other kind of Spear whatsoever, so that they are great destroyers of young brood and other kind of fish in great abundance, and therefore altogether unlawful, no man to use them upon pain of Imprisonment and further fine at the discretion of the Lord Mayor.

25. Item

25. Item, You shall further inquire, and true presentment make, of all such persons as do use to go down the River to buy up either Fish, Vintuals, or other Commodities befoze the same cometh to Billingsgate and other Heaps, being known and appointed places of sale, vent and discharge thereof; if you know any such, you shall present who they be, and how often they have so done.

Fore-
stalling.

26. Item, That no Fisherman or other person whatsoever, shall work with any manner of Net or Engine whatsoever, to take or kill any Dace or Roach from the Tenth of March till the Tenth of May next, so that they do then shed their Spawm: Nor that they take or kill any of the said Dace, Roach, or other kind of Fish out of their due kind or season, nor except they contain in length according to the true scantling and assize, and not otherwise.

Fish out
of season.

27. Item, You shall further inquire, and true presentment make, whether any Butcher, Brewer, Inn-keeper, or any other person or persons, as well within the City of London, as in any other Countrey Town or Village (as far as the Liberty of the Lord Mayor extendeth) have cast or put into the said River, any Panches, Spains, Horse-dung, or any other Rubbish, Soil, or Filth whatsoever, to the very great annoyance and hurt of the said River, on pain

Soil and
Rubbish.

pain of Imprisonment, and further fine at the discretion of the Lord Mayor of London: If you know any such you shall present them.

Royal fish.

18. Item, You shall further inquire what Royal Fishes have been taken within the Jurisdiction and Royalty of the Lord Mayor of London, as namely, Whales, Sturgeons, Porpusses, and such like, and to present the name and names of all such persons as shall take them to the Lord Mayor of London for the time being.

Lampern rods.

19. Item, That no fisherman or other person whatsoever shall lay in the said River of Thames any Lampern Leaps to take Lamperns before Bartholomew-tide yearly, and so to continue till Good-Friday, nor shall lay any more or greater quantity then only one rod of forty fathom, containing seven dozen of Leaps and not above: Nor shall lay any of the said rods until they shall be lawfully licensed by the Lord Mayor of London, or by his Substitute, the Water-Bailiff for the time being.

20. Lastly, Because the number of Fishermen do daily increase, and not only Fishermen, but also a great number of Cable-hangers and Trades-men, such as were never bound Apprentices to the craft and science of Fishing, to the great hurt of the River and hindrance of Fishermen, the said River bring not a
ble

ble to relieve and succour the multiplicity of them being so great: It is now ordained, That every fisherman dwelling near unto the said River, that doth take and receive into his or their custody any Apprentice to the said Trade of fishing, shall within one Moneth next after, repair unto the Water-Bailiff of London to have his Indenture written and engrossed, to the end that after he may present him to the Chamberlain of London to be enrolled, according to ancient Custom. And not to receive any Apprentice under the term of seven years. And at the end and expiration of the said term, the Master of the said Apprentice do again present him to the said Water-Bailiff, to be by him admitted and allowed a fisherman. And finally, You shall inquire and true presentment make, by the Oaths that you and every of you have taken, whether any fisherman or other Person whatsoever they be, have with any manner of Net or Engine offended or misused himself in fishing within the said River, or whether they have any manner of ways made destruction of the bryd and fry of any kind of fish therein contained, contrary to the good and ancient Lawes, Ordinances, and Constitutions of the said River of Thames. And to make a true, perfect and faithful Presentment of all other kind of Enormities, Hurts,
Of

Offences and Annoyances, touching as well Fishermen, as any other person or persons within the said Jurisdiction, being any manner of waies hurtful or offensive to the same.

At a Court of Aldermen the Tenth of July 1673. an Order was made as followeth, viz.

THIS Court considering the great Decay of the Fishing Trade in the River of *Thames*, and conceiving, That drawing the Shores (of late so frequently practised) is the chief Ground thereof, as tending to the great Prejudice and utter Destruction of the Brood and Fry of all sorts of Fish, did thereupon this Day strictly order and enjoyn, That no person do hereafter presume to draw the Shores in the River of *Thames* upon any pretence whatsoever at any time or season of the Year, either with lawful or unlawful Nets, save only for Salmons in Rooms appointed and set out for that purpose by this Court: And that none do fish for Salmons in such Rooms, but only such as shall be impowered thereunto under the Seal of the Majoralty of this City: And also that none fish with a Net under six Inches in the Mesh, upon pain that every Offender shall forfeit for every such Offence his Nets, and pay as a Fine the Sum of Twenty pounds, and suffer Imprisonment during the pleasure

fore of this Court. And to the end more diligent and strict Search may for the future be made upon the said River than hitherto hath been, or possibly can be by one single person, for such as fish with unlawful Nets, at unlawful Times, and in an unlawful Manner; The Water-Bailiff for the time being is by this Court ordered and impowered, from time to time to authorize Two or more honest Fishermen, in such Town and Places as he shall think convenient, as well below as above the Bridge, to be assistant to him in the Execution of his Duty. And when they shall think fit, to go out and search for any such Offenders, and to take away their Nets, and give their Names to Mr. Water-Bailiff, that he may take effectual Care, that they be severely proceeded against according to Law.

Wagstaffe.

The

*The Title of the Lord Major of the
City of London to and for the
Conservacy of the River of
Thames.*

I*nprimis*, The Major of the said City for the time being, and all other his Predecessors, Governours of the same City time out of mind, have had and exercised the room of Conservacy of the River of *Thames*, and the correction and punishment of all manner of Fishermen, and all other persons offending within the said River.

Item, King *Edward* the Third by his Charter hath granted, That the Citizens of *London* shall remove and take away all Kideles in the Water of the River of *Thames* and *Medway*, and shall have the punishment to the King belonging thereof coming.

Item, By the Statute made in the Seventeenth year of the Reign of King *Richard* the Second, it is ordained, That the Major of *London* for the time being, shall have the conservacy of the *Thames*, and put in execution the Statutes of 13 *Edw.* 1. and 13 *Rich.* 2. from the Bridge of *Stanes* to *London*, and from thence over the same water, and in the water of *Medway*.

Item,

Item, King James by his Charter to the City, Dated the 20th of August in the third year of his Reign, takes notice of the Lord Major's Right to the Office of Bailiff and Conservation of the River of Thames, in these words, or to this effect.

Charta Jacobi Regis concessa Civibus Londini de Conservatione Rivi Thamesis, inter alia geren' Dat' vigesimo die Augusti Anno Regni sui Tertio.

JAMES by the Grace of God of England, Scotland, France, and Ireland, King, Defender of the Faith, &c. To all to whom our present Letters Patents shall come, Greeting; Whereas our beloved in Christian part, the Mayor and Commonalty and Citizens of our City of London, time out of memory of man, have had, exercised, and ought and have accustomed to have and exercise the Office of Bailiff and Conservation of the Water of Thames, to be exercised and occupied by the Mayor of the same City for the time being, during the time of his Mayoralty, or by his sufficient Deputies, in and upon and about the Water of Thames; That is to say, from the Bridge of the Town of Staines in the County

County of Middlesex, and towards the West unto London-Bridge, and from thence to a certain place called Kendal, otherwise Yenland, otherwise Yenleet, towards the Sea, and East and in Medway, and in the part of the City of London aforesaid, and upon whatsoever Banch, and upon every Shore and every Wharf of the same Water of Thames within the Limits and Bounds aforesaid. And in, upon, and about all and every of them. And also for all the time aforesaid, have had and taken, and ought and have accustomed to have and take to their own proper use, by the Mayor of the aforesaid City for the time being, during the time of his Mayoralty, or his sufficient Deputies, all wages, regards, fees and profits appertaining and belonging to the same Office of Bailiff, We therefore, to the Intent that the said Mayor and Commonalty and Citizens may more securely, freely, and quietly use, have, exercise, and enjoy the Office aforesaid, and the fees, wages, regards, and profits thereunto belonging to them and their Successors for ever, of our especial Grace and certain knowledge and mere motion, have granted, and by these Presents for us, our Heirs and Successors, do grant to the aforesaid Mayor and Commonalty and Citizens, and their Successors, That they the aforesaid Mayor and Common-

alty

altp and Citizens, and their Successors, may exercise and execute the aforesaid Office of Bailiff and Conservation of the Water of Thames by the Mayor of the said City for the time being, during the time of his Mayoralty, or his sufficient Deputies, from time to time for ever, in, upon, or about the same water of Thames; That is to say, from the aforesaid Bridge of Stains in the County of Middlesex towards the West, to the Bridge of London, and from thence to a certain place called Yendall, otherwise Yenland, otherwise Yenleet, towards the Sea and East and in Medway, and in the Port of the City of London aforesaid, and upon whatsoever Banch, and whatsoever Shore, and whatsoever Wharf of the same Water of Thames, within the Limits and Bounds aforesaid, in, upon, and about every one of the same, and to have, receive, collect, and enjoy all and singular wages, regards, fees, and profits to the same Office of Bailiff pertaining and belonging, to the proper use of the same Mayor and Commonalty and Citizens, by the Mayor of the City aforesaid for the time being, during the time of his Mayoralty, or by his sufficient Deputies, without the hinderance of us, our Heirs, or Successors, or any of our Officers, Bailiffs, or Ministers, or of our Heirs or Successors,

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so;

for, or our Admiral of England, or of
 our Successors or any others of our
 Subjects, or of our Heirs or Successors
 whatsoever, or of any grant by us,
 our Heirs or Successors to be made to
 the contrary, To have, hold, and enjoy
 the aforesaid Office, and all and singular
 the Premises, with all and singular
 Wages, Regards, Fees, Profits, and
 Appurtenances whatsoever to the said
 Office belonging or appertaining to the
 aforesaid Mayor and Commonalty and
 Citizens, and their Successors for ever,
 by the Mayor of the foresaid City for the
 time being, during the time of his Ma-
 jority, or by his sufficient Deputies to
 be exercised and executed without any
 Accempt, or any other thing to be ren-
 dred or made thereof to us, our Heirs, or
 Successors, So as no other Bailiff or
 Conservator of the aforesaid Water, shall
 be or shall in any wise intermeddle in the
 Premises.

THE
COURT
OF
REQUESTS,

Commonly called

The Court of Conscience.

THE first beginning of this Court was in the Ninth Year of King Henry the Eighth, by Act of Common Council then made, whereby it was ordained, That the Major and Aldermen of the City of London should monthly assign and appoint two Aldermen and four Commoners to be Commissioners, to sit in the same Court in Guildhall, upon Wednesday and Saturday in every week, there to hear, examine, and determine all Matters brought before them between party and party, Citizens of London, where the Debt did not exceed forty shillings, which Act was to con-

tinue two years and no longer. But being found beneficial for the relief of such poor Debtors as could not make present payment of their Debts, and also to be a great ease and help to such poor persons as had small Debts owing to them, and were not able to prosecute a Suit in Law for the same. The said Act hath since been continued by divers other Acts of Common Council; and besides the two Aldermen monthly assigned, the number of Commissioners was encreased from four to twelve, and by that authority the same Court continued till the first Year of the Reign of King *James*: And then divers malicious people slighting the Authority of the same Court, and not regarding the expence, how great soever, if they might ruin their poor Debtors: And being often animated thereunto by divers Attorneys and Solicitors, did frequently commence Suits for petty Debts and Causes against poor men (Citizens of *London*) in the High Courts at *Westminster* or elsewhere, out of the said Court of Requests to avoid the Jurisdiction thereof, and to barr the said Commissioners from staying such Suits, and examining the said Causes, and thereby caused such poor men many times to pay ten times as much Charges as the principal Debt did amount unto to the undoing such poor men, their Wives, and Children, and also to the filling of the Prisons with the poor so sued. For Remedy whereof, and for the strengthening and establishing

Courts belonging to London.

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Establishing the said Court. An Act of Parliament was made in the third Year of the Reign of King James, Intituled, *An Act for the recovering of small Debts, and for the relieving of poor Debtors in London.* The Tenor of which Act is as followeth.

Whereas by virtue of divers Acts of Common Council made within the City of London, the Lord Mayor and Aldermen of the same City, for the Relief of poor Debtors dwelling within the said City, have accustomed monthly to assign two Aldermen and twelve discreet Commoners to be Commissioners, and sit in the Court of Requests, commonly called the Court of Conscience, in the Guildhall of the same City, there to hear and determine all matters of Debt not amounting to the sum of xls. to be brought before them: And whereas at the Sessions of Parliament holden at Westminster, the Ninetenth day of March, in the first Year of the Reign of our Sovereign Lord the Kings Majesty that now is, for the further Relief of such poor Debtors, and more perfect establishing of the said Court, there was made and provided an Act, intituled, *An Act for recovery of small Debts, and relieving of poor Debtors in London:* And whereas since the making of the said Act, divers persons intending to sub-

The Law and Practice of the

vert the good and charitable intent of the same, and taking hold of some doubtful and ambiguous words therein, do wrest the same so: their own luere and gain, to the avoiding the Jurisdiction of the said Court, contrary to the godly meaning of the said Act.

For the Remedy whereof, and to the intent that some moze full and ample provision may be made so: the Relief of such po: Debtors, Be it enacted by Authority of this present Parliament, That every Citizen and Freeman of the City of London, and every other person and persons inhabiting, o: that shall inhabit within the said City, o: the Liberties thereof, being a Tradesman, Victualler, o: a Labouring man, which now have, o: hereafter shall have any Debt o: Debts owing unto him o: them, not amounting to forty shillings, by any Citizen, o: by any other person o: persons being a Victualler, Tradesman, o: Labouring man, inhabiting, o: that shall inhabit within the said City, o: the Liberties thereof, shall o: may cause such Debtor o: Debtors to be warned o: summoned by the Deadle o: Officer of the said Court of Requests so: the time being, by writing to be left at the dwelling house of such Debtor o: Debtors, o: by any other reasonable warning o: notice to be given to the said Debtor o: Debtors to appear before the Commissioners

soners of the said Court of Requests; holden in the Guildhall of the said City: And that the said Commissioners, or any three of them or more, shall have power and authority by virtue of this Act, from time to time, to set down such Order or Orders between such party or parties Plaintiffs, and his or their such Debtor or Debtors Defendants, touching such Debts not amounting to the value of forty shillings, in question before them, as they shall find to stand with Equity and good Conscience: All such their Order or Orders to be registered in a Book, as they have been accustomed, and as well the party Plaintiff, as the Debtor or Defendant, to observe, perform and keep the same in all points. And that for the more due proceeding herein, it shall be lawful for the same Commissioners, or any three or more of them, to minister an Oath to the Plaintiff or Defendant, and also to such Witnesses as shall be produced on each party, if the same Commissioners, or any three of them or more shall so think it meet.

And be it further Enacted by the Authority aforesaid, That if in any Action of Debt, or Action upon the Case upon any Assumpsit for the Recovery of any Debt, to be sued or prosecuted against any the person or persons aforesaid, in any of the King's Courts at Westminster, or elsewhere

where out of the said Court of Requests, it shall appear to the Judge or Judges of the Court where such Action shall be sued or prosecuted, that the Debt to be recovered by the Plaintiff in such Action doth not amount to the sum of Forty Shillings, and the Defendant in such Action shall duly prove either by sufficient Testimony, or by his own Oath, to be allowed by any the Judge or Judges of the said Court where such Action shall depend, that at the time of the commencing of such Action, such Defendant was inhabiting and resident in the City of London, or the Liberties thereof, as above, That in such case the said Judge or Judges shall not allow to the said Plaintiff any Costs of Suit, but shall award that the same Plaintiff shall pay so much ordinary Costs to the party Defendant, as such Defendant shall justly prove before the said Judge or Judges, it hath truly cost him in defence of the said Suit.

And be it further Enacted, That if any such Plaintiff or Creditor, Defendant or Debtor, after warning given to him or them, in manner and form before in this Act mentioned, by the said Officer of the said Court of Requests, shall without some just or reasonable cause of Excuse refuse to appear in the said Court before the said Commissioners, or shall not perform such order as the said Commissioners,

missioners, or any three or more of them, shall set down, or concerning such Debts as aforesaid, That then it shall be lawful for the said Court, or any other of the Sergeants at Law of the said City by Order of the said Commissioners, or any three or more of them, to commit such party or parties to prison, into one of the Counters of the said City, there to remain until he or they shall perform the order of the said Commissioners in that behalf.

Provided always, That this Act, or any thing therein contained, shall not extend to any Debt for any Rent upon any Lease of Lands or Tenements, or any other real Contracts, nor to any other Debt that shall arise by reason of any cause concerning a Testament or Matrimony, or any thing concerning or properly belonging to the Ecclesiastical Court, albeit the same shall be under forty shillings; Any thing before contained to the contrary in any wise notwithstanding.

THe Lord Major and Court of Aldermen do monthly assign such Aldermen and Commons to sit as Commissioners in the said Court as they think fit: And the same persons, or any three of them, make a Court, and do sit in *Guildhall* every *Wednesday* and *Saturday* in the Forenoon, to hear and determine such Causes as come before them.

A Cause may be brought and determined in this Court for 10 *d.* Charge, viz. Six pence for the Plaintiff and the Summons, and 4 *d.* for the Order: But if the Defendant do not appear the second Court day after Summons, an Attachment will be awarded against him, which will compel him to appear, and encrease the Charge.

If any Citizen shall be arrested for a Debt under 40 *s.* this Court will grant a Summons for the Plaintiff in the Action; and if he appear not the first Court day after the Summons left at his House, will grant an Attachment against him, and force him to take his Debt, and pay the Defendant his Costs. And if any Attorney in *London* shall presume to go on in any such Suit after notice to the contrary, or shall refuse to obey the Order of this Court, upon Complaint thereof made to the Court of Aldermen, they will suspend such person.

In the Majoralty of Sir *Craven*,
an Attorney in the Sheriffs Court was sent
for by the Commissioners sitting in this
Court; and he refusing to come before
them, they made Complaint to the Court
of Aldermen, who thereupon made an Or-
der as followeth.

Craven Major.

*Jovis 24^o die Januarij Anno Do-
mini 1610. Annoque Regis
Jacobi Angl &c. octavo.*

THIS day Sir John Jolls Knight and
Alderman of this City, did declare
unto this Court, That he and three dis-
creet Commoners of this City (a-
mongst others) assigned by this Court
to be Commissioners for this instant
Month of January for the Court of Re-
quests, commonly called the Court of
Conscience, according to an Act of Par-
liament made in the Third Year of the
Reign of the Kings Majesty that now is:
And that they sitting in the said Court
of Conscience in the Guildhall of this Ci-
ty pesterday last being Wednesday the
three

three and twentieth of this instant January, to hear and determine Matters for the Recorring of small Debts, and relieving of poor Debtors in this City, according as by the said Act of Parliament they are authorized, and only out of a conscionable Care to be certainly informed of the true state of a Case brought before them, and which was depending in the Sheriffs Court, where they were informed that Thomas Hutton, one of the Attorneys in the Sheriffs Court, was retained for the Plaintiff in the said Court: And the said Hutton being in the Guildhall in the view of the said Sir John Jolls, and other the Commissioners, the said Commissioners commanded the Beadle of the said Court to go to the said Hutton, and require him presently to come to the said Sir John Jolls and the other Commissioners. And albeit the Beadle went two several times to him, yet the said Hutton peremptorily and contemptuously made answer, That he neither could nor would come to them. The which being here examined in full & open Court, and the said Hutton called to answer the same, was in part confessed by the said Hutton, and also proved by the Oath of the Clerk and Beadle of the said Court of Requests. And to aggravate the said Offence and Contempt, the said Hutton here in open Court

Court, did affirm, That he knew not what Authority that Court had to send for him. The which Indignities and Contempts offered to Commissioners chosen by this Court, and established by Act of Parliament, and to an Alderman of the City of London by a Subordinate Officer of this City, this Court do generally hold the same intolerable, and the said Hutton worthy of severe and condign punishment: And therefore do order and decree that the said Thomas Hutton shall be presently and absolutely dismissed, and this Court doth absolutely dismiss him of and from his said Place and Office of One of the Attorneys of the said Sheriffs Court aforesaid. And Mr. Dale, one of the Judges of the said Court, was sent for, and being here private, was required to take notice thereof, and to publish the same in the Sheriffs Court, and to take private Order that the said Thomas Hutton be not admitted hereafter to practise any more in the said Court.

The Clerks Fees of this Court.

F Or every Plaint	2 d.
For every Appearance	2 d.
For every Order	4 d.
For every Precept or Warrant to com- mit to Prison	6 d.
For every Search	2 d.
For every satisfaction acknowledged up- on an Order	6 d.

Beadles Fees.

F Or warning every person within the Li- berties	4 d.
For warning every person without the Li- berties	6 d.
For serving every Precept or Warrant	4 d.

The

THE SHERIFFS COURTS.

EACH Sheriff holds a Court of Record in *Guildhall*, viz. every *Wednesday* and *Friday*, for Actions entered at the *Woodstreet* Compter, and every *Thursday* and *Saturday* for Actions entered at the *Poultry* Compter.

There is eight Attorneys belonging to these Courts, who of right ought to have three Fees in every Cause that is or shall be brought to Trial; viz. a Fee For the Appearance, a Fee at Issue, and a Fee upon Summons for Trial: But if the Cause shall be summoned more than once, he is to have a Fee upon every Summons.

Note, That an Attorneys Fee in this Court is 1 s. 8 d. and no more.

The Attorneys of these Courts are admitted by the Court of Aldermen, and must take the following Oath.

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The

The Oath of the Attorneys of the Sheriffs Courts.

YE shall swear that ye shall well and lawfully do your Office of Attorney, and well and lawfully examine your Client, and their quarrel without Champarty, and without procuring of any Juries or any Enquest embracing. And that ye shall change no quarrel out of his nature after your understanding. Also ye shall plead Ne ley, ne suffer to be pleaded or leped by your assent no Foreign Release, Acquittance, Payment, Arbitration, plain Accompt whatsoever it be to put the Court out of his Jurisdiction, nor none other matter, but it be such as ye may find rightful and true by the Information of your Client, whose information and saying upon your Oath and Conscience ye shall think to be true. And ye shall not enform ne enforce any man to sue falsely against any person by false or forged Action. Ready ye shall be at all times to come and attend at the warning of the said Mayor, and of the Sheriffs of the said City, unless ye be letted about the business of this City, or for some other reasonable cause. The Franchises, Laws and Ordinances of this City you shall keep, and do to be kept

kept to your power. And that well and lawfully ye shall do all things that to the Office of Attorneys pertaineth to do. As God help you.

There is two Secondaries, two Clerks of the Papers, two Prothonatories, and eight Clerk-sitters belonging to these Courts.

The Secondaries allow and return all Writs brought to remove Causes out of these Courts.

The Clerks of the Papers file and copy all Declarations upon Actions in these Courts.

The Prothonatories do draw and ingross all such Declarations.

The Clerk-sitters enter Actions and Attachments, and take Bails and Verdicts.

The Attorneys have not the custody of any Record belonging to these Courts; their business is only to take their Fees due to them in every Cause, and to give their Clients notice of Declarations and Trials, and to advise them when and what to plead.

All *Subpoena's* for Witnesses to appear in these Courts, are made by the Clerks belonging to the Judges of these Courts.

*The Fees for a Trial in these
Courts.*

The Action	0	4
The Arrest	1	0
The Attorneys Fee	1	8
The Declaration if general	1	4
The Court Fees hereon	0	8
The <i>Deltar</i>	0	4
The Issue and Attorneys Fee	4	0
The Summons of the Jury and Attorney's Fee	4	8
The <i>Subpœna</i>	2	0
The Counsel well deserve	5	0
The Juries Verdict	4	6
The Judgment	2	6
The Execution	1	4
If the Declaration be special the Prothonotaries Fee for every sheet drawing and ingrossing is	0	8

The Defendants Fees for a Trial.

The Attorneys Fee for Appearance, and the Court Fees	2	6
The Copy of the Declaration 4 d. per sheet.		
The Issue and Attorneys Fee	3	8
Attorneys Fee upon the Summons	1	8

After

After a Verdict obtained in either of these Courts, and before Judgment entered, the Defendant may stop Judgment by marking the Cause before the Lord Major for time to pay the Money recovered; which he may do by speaking to an Attorney in the Majors Court, and giving him 4 s. 10 d. for that purpose.

My Lord Major sits only upon *Saturday* to hear mark't Causes; and if upon hearing both Parties, it shall appear to his Lordship that the Plaintiff obtained a Verdict for more then his just Debt, his Lordship may remit the Cause to Judgment for the just Debt only, and give such time to pay the same as he shall think reasonable: But his Lordship always orders the Defendant to give good Security to pay the Recovery at such times as his Lordship directs, and to pay the Costs in fourteen days.

The Attorneys in the Majors Court always move for time, although the Verdict was in the Sheriffs Court, and his Fee for moving is

1 s. 8 d.

The Plaintiff must pay for his Lordships Order, and entering it

2 s. 10 d.

Which Charges will be allowed to the Plaintiff upon taxing of Costs.

In these Courts may be tried Actions of Debt, Case, Trespass, Accompt and Covenants broken; as also Attachments and Sequestrations.

If either party shall have a Witness that cannot stay in *London* till the day of Trial,

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his

his testimony may be taken in writing, which will be allowed as good Evidence.

The method for examining such Witness is thus; First, his name and place of abode must be delivered in writing to the adverse Attorney; and then he must be examined and sworn by the eldest Attorney in the Lord Majors Court, whose Fee for the Examination and Copy is

3 s. 4 d.

After the Examination the adverse Attorney may have a Copy thereof, for which he must pay

2 s.

The two eldest Clerks in these Courts for the time being, are Attorneys of the *Pyepowder Court* held during the first three days of *Bartholomew Fair*, for the examining and trying all Suits brought for petty Matters and Offences there committed, contrary to the Proclamation hereafter mentioned.

The Lord Major and Aldermen do Annually cause a Proclamation to be made for the better regulating this Fair. The tenour whereof is as followeth.

The

The Proclamation made on
Bartholomew Eve in the After-
 noon at the great Gategoing
 into the Cloth Fair.

THe Right Honourable Sir R. C.
 Mr. Lord Mayor of the City of Lon-
 don, and his Right Worshipful Bre-
 thren the Aldermen of the said City,
 straightly charge and command, on the
 behalf of our Sovereign Lord the King,
 That all manner of persons of whatso-
 ever estate, degree, or condition they
 be, having recourse to this fair, keep
 the Peace of our said Sovereign Lord the
 King.

That no manner of Persons make a-
 ny Congregation, Conventicles, or As-
 semblies, by the which the same Peace
 may be broken or disturbed, upon pain
 of Imprisonment and fine to be made
 after the discretion of the Lord Mayor
 and Aldermen.

Also that all manner of Sellers of
 Wine, Ale, or Beer, sell by Measures
 unsealed, as by Gallon, Pottle, Quart,
 and Pint, upon pain that will fall there-
 of.

The Law and Practice of the

And that no Person sell any Bread, but if it keep the Assize, and that it be good and wholsome for mans body, upon pain that will fall thereof.

And that no manner of Cook, Ppe-baker, nor Butcher, sell, nor put to sale, any manner of Victual, but it be good and wholsome for mans body, upon pain that will fall thereof.

And that no manner of Person buy nor sell, but with true Weights and Measures, sealed according to the Statute in that behalf made, upon pain that will fall thereof.

And that no manner of Person or Persons take upon him or them within this fair, to make any manner of Arrest, Attachment, Summons, or Execution, but if it be done by the Officers of this City thereunto assigned, upon pain that will fall thereof.

And that no Person or Persons whatsoever, within the limits and bounds of this fair, presume to break the Lords Day in selling, shewing, or offering to sale, or in buying, or offering to buy, any Commodities whatsoever, or in sitting, tippling, or drinking in any Tavern, Inn, Alehouse, Tippling house, or Cooks house, or in doing any other thing

thing that may tend to the breach thereof, upon the pains and penalties contained in several Acts of Parliament, which will be severely inflicted upon the breakers thereof.

And finally, That what Personssoever find themselves grieved, injured, or wronged by any manner of Person in this Fair, that they come with their Complaints before the Stewards in this Fair assigned to hear and determine Pleas, and they will minister to all Parties Justice, according to the Laws of this Land, and the Customs of this City.

THE

THE
CHAMBERLAINS
COURT
OR
OFFICE.

THe Chamberlain of *London* keeps his Office in the Chamber of *Guildhall*, and is entrusted with Orphans Monneys and the Cities Cash, he is Annually elected, and gives very good Security to the Court of Aldermen to pay, and make good whatsoever Cash shall be delivered to him, and once every year gives an Account to Auditors appointed and chosen for that purpose. He is also entrusted with the Cities Leases; and all Bonds and Securities taken by the Court of Aldermen for Orphans Monneys.

He attends at *Guildhall* usually every Forenoon to Inroll and turn over Apprentices, and to make such Free as have duly served the

the full term of Seven years, and have not married nor taken wages in that time. Upon the admission of every Person into the Freedom of *London*, Mr. Chamberlain causes them to take the following Oath.

The Oath of every Freeman of the City of *London*.

Ye shall swear, that ye shall be good and true to our Sovereign Lord King CHARLES, and to the heirs of our said Sovereign Lord the King. Obedient and obedient ye shall be to the Mayor and Ministers of this City. The franchises and Customs thereof ye shall maintain, and this City keep harmless in that that in you is. Ye shall be contributory to all manner of charges within this City, as Summons, Watches, Contributions, Taxes, Tollages, Lot and Scot, and to all other charges, bearing your part as a Freeman ought to do. Ye shall colour no foreign goods under or in your name, whereby the King or this City might or may lose their Customs or advantages. Ye shall know no foreigner to buy or sell any Merchandise with any other foreigner within this City or franchise thereof, but ye shall warn the Chamberlain thereof, or some Minister of the Chamber.

ber. He shall implead or sue no Free-man out of this City, whilst he may have Right and Law within the same City. He shall take no Apprentice, but if he be free-born, that is to say, no bond-mans son, nor the child of any Alien, and for no less term than for seven years, without fraud or deceit: and within the first year he shall cause him to be enrolled, or else pay such fine as shall be reasonably imposed upon you for omitting the same. And after his terms end, within convenient time (being required) he shall make him see of this City, if he have well and truly served you. He shall also keep the Kings Peace in your own person. He shall know no Gatherings, Conventicles nor Conspiracies made against the Kings Peace, but he shall warn the Mayor thereof, or let it to your power. All these Points and Articles he shall well and truly keep according to the Laws and Customs of this City to your power. So God you help.

If any Master shall refuse to make his Apprentice free when the term in his Indenture is expired; upon complaint thereof made Mr. Chamberlain will cause such Master to be summoned before him, and if he cannot shew good cause to the contrary, will make the Apprentice Free.

If an Apprentice shall be unruly or disorderly in his Masters House, or commit any notorious Fault, upon complaint made thereof, Mr. Chamberlain will send one of his Officers for such Apprentice, and send him to *Bridewell*, or otherwise punish him, according to the nature of the Offence.

If any Master shall misuse his Apprentice by beating him unreasonably, or with unlawful weapons, or by neglecting to instruct him, or to find him necessaries, upon complaint thereof made, Mr. Chamberlain will send a Summons for the Master to appear before him; and upon hearing both Parties, will relieve the Apprentice, or leave him to take his remedy against such Master in the Lord Majors Court.

If any Freeman shall refuse to appear before the Chamberlain, being duly summoned, my Lord Major, or Mr. Recorder, upon complaint thereof made, will grant a Warrant to apprehend such Person, and compel him to appear; for which Warrant the Fee is 1 s.

When an Apprentice is by consent of his Master to be turned over to another Master of the same Trade, it cannot be done by any Scrivener. But the Apprentice ought first to be turned over before the Company where he was bound, and then to be turned over before the Chamberlain: And it is to be observed, that if an Apprentice be turned over by the Company only, it is no Obligation

ligation upon the second Master to keep such Apprentice, nor is the Apprentice compellable thereby to serve such second Master, but may depart from the Service of such second Master at his pleasure, by suing out his Indentures against his first Master, which may be done without the privity or knowledge of the second Master; and therefore it is absolutely necessary that all Apprentices should be turned over before the Chamberlain, for thereby the first Master is discharged from him, and the second Master obliged to keep him, and the Apprentice will be obliged to serve the second Master the full term of the Indentures: Although the same were made for nine years or more.

It is the interest and advantage of every Master and Apprentice, when any difference happens between them, to refer the matter to the Chamberlain, who will freely hear both Parties, and decide the Controversie for three shillings Charge; viz. 1 s. to the Officer for the Summons, and 2 s. to the Clerk for the Order: Whereas if they proceed at Law for relief, it may probably cost both Parties 6 l. if not more, in Charges; and the Conclusion may be less satisfactory then if decided by such reference as aforesaid.

Fees due to the City upon the making Free and Inrolling Apprentices.

An Apprentice made Free, not Inrolled, the Master pays	s. d. 13 2
The Apprentice pays	1 0
If not turned over before the Chamberlain, then the Master or Mistress must pay extraordinary	2 0

If an Apprentice shall omit to take his Freedom within convenient time after his time is expired, Mr. Chamberlain may impose such Fine upon the Apprentice, as he shall think fit for such his neglect.

Fees due to the Clerk of the Chamber.

For every Copy of a Freedom, if by Service	s. d. 2 6
To the under Clerk is usually paid	0 6
For every Copy of a Freedom, if by Nativity out of London	5 0
To the under Clerk	0 6
For every Copy of a Freedom, if by Nativity within London	4 0
To	

	s.	d.
To the under Clerk	0	6
For every Copy of a Freedom that is purchased or given	4	0
To the Clerk	0	6
For every second Copy of a Free- dom	2	6
To the under Clerk	0	6
For every Copy of an Inrollment	2	0
To the under Clerk	0	6
For every Indenture that is lost	2	0
For every search	1	0
For every Inrollment	0	4
For every Turn-over	0	4
For every Order without a Refer- ence	1	0
For every Order upon a Refer- ence	2	0
For every Warrant	1	0
For every Summons within the Liber- ties	1	0
For every Summons without the Li- berties	2	0

Every Freeman ought to take particular care not to make an Apprentice Free of *London*, by testifying for his Service, unless such Apprentice shall have really served him: For if he shall privately turn his Apprentice over to a Forreigner, and let the Apprentice serve such Forreigner, and testify to the Chamberlain that the Apprentice served a Freeman, in such case the Master and Apprentice may be disfranchised,

chised, and fined at the pleasure of Mr. Recorder, and Mr. Chamberlain will in such case cause the Freemans Shop to be shut up.

If a Master shall make his Apprentice Free, by testifying that his Apprentice served the full term of Seven years, when in truth the Apprentice did not serve so long, both the Master and Apprentice may be disfranchised for testifying an untruth: For it is contrary to a Freemans Oath; the words therein being, **We shall take none Apprentice for no less term then for Seven years, without fraud or deceit. We shall make him Free if he have well and truly served you.** And if a Freeman well considers his Oath, he will not do any act contrary thereunto for lucre, or to pleasure another.

And for that most Freemen do in time come to be Constables and Scavengers, it may not be unnecessary to insert the Oath to be by them taken before they Execute such places.

The Oath of the Constables
within the City of Lon-
don.

YE shall swear, that ye shall keep
the Peace of our Sovereign Lord
the King well and lawfully after
your power: And ye shall Arrest
all them that make Contest, Riot, De-
bate, or Affray, in Breaking of the said
Peace, and lead them to the House or
Compter of one of the Sheriffs: And
if ye be withstood by strength of Wis-
doms, ye shall rear on them an Outcry,
and pursue them from Street to Street,
and from Ward to Ward, till they be
Arrested: And ye shall search at all
times, when ye be required by the
Beaversgers or Beadles, the common
noisance of your Ward: And the Bea-
dle and Aaker ye shall help to rear and
gather in their Salary and Quarter-
age, if ye be thereunto by them requi-
red. And if any thing be done within
your Ward against the Ordinance of this
City, such Defaults as ye shall find
there done, ye shall then present to the
Mayor and Ministers of this City:
And if ye be letted by any person or per-
sons, that ye may not duly do your Of-
fice, ye shall certify the Mayor and Coun-
cil

eil of the City of the name or names of him or them that so let you. Ye shall also swear that during the time that ye shall stand in the Office, and occupy the room of a Constable, ye shall once at the least every Month certifie and shew to one of the Clerks of the Majors Court, and in the same Court, as well the names as surnames of all freemen which ye shall know to be deceased within the Month in the Parish wherein ye be inhabited, as also the names and surnames of all the Children of the said freemen so deceased, being Orphans of this City. And you shall enquire of all and every the Offences done contrary to the Statutes made 1, 4, & 21 Jac. to restrain the inordinate haunting and ripling in Inns and Alehouses, and for repressing of Drunkenness and other disorders, and thereof due presentments make, according to the same Statutes. And thus ye shall not leave to do, as God you help, &c.

The Oath of a Scavenger with-
in the City of *London*.

YE shall swear, that ye shall dili-
gently oversee that the Pav-
ements within your Ward be well
and sufficiently repaired, and not
made too high in noisance of your
Neighbours: And that the Ways,
Streets, and Lanes be cleansed of
Dung, and all manner of filth, for
the honesty of this City: And that all
the Chimnies and Furnaces be of Stone
or Brick, sufficiently and defensively
made against peril of fire. And if
ye find any the contrary, ye shall shew
it to the Alderman of your Ward, so
that the Alderman may ordain for the a-
mendment thereof. And thus ye shall
do, as God you help.

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